Supreme Court, U.S.
FILED

051636 JUN 21 2006

OFFICE OF THE CLERK

In The

Supreme Court of the United States

October Term, 2006

ARTHUR O. ARMSTRONG,

Petitioner,

vs.

CLERK OF WILSON COUNTY, et al

Respondents.

On Petition for a Writ of Certiorari
to the United States Court of Appeals
for the Fourth Circuit

PETITION FOR A WRIT OF CERTIORARI

ARTHUR O. ARMSTRONG, PRO SE
8113 PLEASANT HILL ROAD
ELM CITY, NORTH CAROLINA 27822
(252)236-7912

QUESTIONS PRESENTED

Did the trial court judge breach the Federal Constitution and the United States statutes when he, arbitrarily, deprived plaintiff of his property without due process of law.

Is a litigant entitled to due process of law from a constitutional violation.

Is a civil litigant entitled to judgment relief pursuant to the Federal Rules of Civil Procedure when the judgment evidence indicates that the defendant failed to conform to the requirements of the Federal Constitution and statutes.

PARTIES TO THE PROCEEDINGS

In addition to the parties named in the caption:

(06-1191)
Arthur O. Armstrong
v.
Michael F. Easley
Howard S. Boney
Frank R. Brown
Milton F. Fitch, Jr.
John Doe
J. C. Howell

(06-1192)
Arthur O. Armstrong
v.
Michael F. Easley
Howard S. Boney
Frank R. Brown
John D. Williams
William Griffin
D. C. Atkinson

(06-1193)
Arthur O. Armstrong
v.
Michael F. Easley
Frank R. Brown
Milton F. Fitch, Jr.
Howard S. Boney
C. Gould

(06-1194)
Arthur O. Armstrong
v.
Michael F. Easley

(06-1195)
Arthur O. Armstrong
v.
Michael F. Easley
Thomasine E. Moore
Nina A. Knight
Millicent G. Graves
Marjorie A. Evans
Milton F. Fitch, Jr.

(06-1196)
Arthur O. Armstrong
v.
Michael F. Easley
City of Knightdale
Colon Willoughby
Lyndo Tippett
A. Leon Stanback
Charles Meeker
Judge Fullwood
B & B Wrecker
City of Raleigh
James Pollock
Skip Blaylock
Daniel Johnson
Jimmy Wilson
A.T. Johnston
D.R. Simmons
Officer Dale

(06-1197)
Arthur O. Armstrong
v.

Dennis Winner
Andrew R. Boyd
City of Wilson
Quality Auto Repair
Debbie Haggans
Bryan Haggans

City of Nashville
Steve Hill
John Manley
John Doe #1
John Doe #2

(06-1270)
Arthur O. Armstrong
v.
Michael F. Easley
Howard S. Boney
Pete Warner
Quentin Sumner
Rachel M, Joyner
R. C. Nichols

(06-1271)
Arthur O. Armstrong
v.
Michael F. Easlay
Colon Willoughby
Clerk of Wake Co.
Sheriff's Department
C. Clayton
John Doe

(06-1272)
Arthur O. Armstrong
v.
Michael F. Easley
Howard S. Boney
Milton F. Fitch, Jr.
W. Russell Duke, Jr.
Annette Harrell

SUPREME COURT OF THE UNITED STATES

ARTHUR O. ARMSTRONG,)
Appellant,)
)
v.)
)
J. C. HOWELL, et al)
Appellees.)

Certificate of Interested Persons and Corporate Disclosure Statement

In accordance to Rule 29.6:

Appellant hereby identifies the persons, associations of persons, firms, partnerships or corporations that have an interest in the outcome of the particular case or appeal and any other identifiable legal entities related to a party:

Arthur O. Armstrong
Harold Franklin Askins, Esq.
Howard S. Boney
Frank R. Brown
The Honorable W. Earl Britt
Stacey Treva Carter, Esq.
John Doe
Michael F. Easley
Milton F. Fitch, Jr.
J. C. Howell
King
Motz
Traxler

ARTHUR O. ARMSTRONG,)

v

Appellant,)
)
v)
)
TROOPER ATKINSON,)
Appellees.)

Certificate of interested Persons and Corporate Disclosure Statement

In accordance to Rule 29.6:

Appellant hereby identifies the persons, associations of persons, firms, partnerships or corporations that have an interest in the outcome of the particular case or appeal and any other identifiable legal entities related to a party:

Arthur O. Armstrong
Harold Franklin Askins, Esq.
Howard S. Boney
The Honorable W. Earl Britt
Frank R. Brown
Stacey Treva Carter, Esq.
Michael F. Easley
William Griffin
John D. Williams

ARTHUR O. ARMSTRONG,)
Appellant,)
)
v.)
)
C. GOULD,)
Appellees.)

Certificate of Interested Persons and Corporate Disclosure Statement

In accordance to Rule 29.6:

Appellant hereby identifies the persons, associations of persons, firms, partnerships or corporations that have an interest in the outcome of the particular case or appeal and any other identifiable legal entities related to a party:

Arthur O. Armstrong
Harold Franklin Askins, Esq.
Howard S. Boney,
The Honorable W. Earl Britt
Stacey Treva Carter, Esq.
John Doe
Michael F. Easley
Milton F. Fitch, Jr.
C. Gould
King
Motz
Traxler

ARTHUR O. ARMSTRONG,)
Appellant,)
)
v.)
)
BRYAN HAGGANS,)
Appellees.)

Certificate of Interested Persons and Corporate Disclosure Statement

In accordance to Rule 29.6:

Appellant hereby identifies the persons, associations of persons, firms, partnerships or corporations that have an interest in the outcome of the particular case or appeal and any other identifiable legal entities related to a party:

Arthur O. Armstrong
Harold Franklin Askins, Esq.
Howard S. Boney
Andrew R. Boyd, Esq.
The Honorable W. Earl Britt
Stacey Treva Carter, Esq.
Michael F. Easley
Bryan Haggans
Debbie Haggans
King
Motz
Quality Auto Repair
William Stewart
Traxler
Wilson, City of

ARTHUR O. ARMSTRONG,)
Appellant,)
)
v.)
)
THOMASINE E. MOORE,)
Appellees.)

<u>Certificate of Interested Persons and Corporate Disclosure Statement</u>

In accordance to Rule 29.6:

Appellant hereby identifies the persons,

associations of persons, firms, partnerships or corporations that have an interest in the outcome of the particular case of appeal and any other identifiable legal entities related to a party:

Arthur O. Armstrong
Harold Franklin Askins, Esq.
The Honorable W. Earl Britt
Stacey Treva Carter, Esq.
Michael E. Easley
Marjorie A. Evans
Milton F. Fitch, Jr.
Millicent G. Graves
King
Nina A. Knight
Thomasine E. Moore
Motz
Traxler

ARTHUR O. ARMSTRONG,)
Appellant,)
)
v.)
)
CITY OF KNIGHTDALE,)
Appellees.)

Certificate of Interested Persons and Corporate Disclosure Statement

In accordance to Rule 29.6:

Appellant hereby identifies the persons, associations of persons, firms, partnerships or corporations that have

an interest in the outcome of the particular case or appeal and any other identifiable legal entities related to a party:

Arthur O. Armstrong
Harold Franklin Askins, Esq.
B & B Wrecker Service
The Honorable W. Earl Britt
Skip Blaylock
Stacey Treva Carter, Esq.
M. D. Congleton
Officer Dale
Michael F. Easley
Judge Fullwood
Judge Gessner
Daniel Johnson
A. T. Johnston
King
City of Knightdale
Charles Meeker
Motz
James Pollock
D. R. Simmons
A. Leon Stanback
Traxler
City of Wendell
Wendell City police chief/director
Wendell police officer, John Doe
Wendell City police officer, L Houpe
Colon Willoughby

ARTHUR O. ARMSTRONG,)
Appellant,)
)
v.)
)
NASHVILLE, CITY OF,)

Appellees)

In accordance to Rule 29.6:

Certificate of Interested Persons and Corporate Disclosure Statement

In accordance to 29.6:

Appellant hereby identifies the persons, associations of persons, firms, partnerships or corporations that have an interest in the outcome of the particular case or appeal and any other identifiable legal entities related to a party:

Arthur O. Armstrong
Harold Franklin Askins, Esq.
The Honorable W. Earl Britt
Stacey Treva Carter, Esq.
John Doe #1
John Doe #2
Michael F. Easley
Steve Hill
Nashville, City of
King
John Manley
Motz
Rocky Mount, City of
Traxler

ARTHUR O. ARMSTRONG,)
Appellant,)
)
v.)
)
R. C. NICHOLS,)

Appellees.)

Certificate of Interested Persons and Corporate Disclosure Statement

In accordance to Rule 29.6:

Appellant hereby identifies the persons, associations of persons, firms, partnerships or corporations that have an interest in the outcome of the particular case or appeal and any other identifiable legal entities related to a party:

Arthur O. Armstrong
Harold Franklin Askins, Esq.
Howard S. Boney
The Honorable W. Earl Britt
Stacey Treva Carter, Esq.
Michael F. Easley
Rachel M. Joyner
Quentin Sumner
Pete Warner

ARTHUR O. ARMSTRONG,)
Appellant,)
)
v.)
)
C. CLAYTON,)
Appellees.)

Certificate of Interested Persons and Corporate Disclosure Statement

In accordance to Rule 29.6:

Appellant hereby identifies the persons, associations of persons, firms, partnerships or corporations that have an interest in the outcome of the particular case or appeal and any other identifiable legal entities related to a party:

Arthur O. Armstrong
Harold Franklin Askins, Esq.
C. Clayton
John Doe
John Doe, Judge
Michael F. Easley
King
Motz
Traxler
Wake County, Clerk of
Colon Willoughby

ARTHUR O. ARMSTRONG,)
Appellant,)
)
v.)
)
CLERK OF WILSON CO.)
Appellees.)

Certificate of Interested Persons and Corporate Disclosure Statement

In accordance to 29.6:

Appellant hereby identifies the persons, associations of persons, firms, partnerships or corporations that have an interest in the outcome of the particular case or appeal and any other

identifiable legal entities related to a party:

Arthur O. Armstrong
Harold Franklin Askins, Esq.
Howard S. Boney
The Honorable W. Earl Britt
Stacey Treva Carter, Esq.
W. Russell Duke, Jr.
Michael F. Easley
Milton F. Fitch, Jr.
Annette Harrell
King
Motz
Traxler

Respectfully submitted this the 30th day of May, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong, Appellant
Arthur O. Armstrong

OF COUNSEL:

ARTHUR O. ARMSTRONG, PRO SE
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

SUPREME COURT OF THE UNITED STATES

No.	06-1191	Armstrong v. Howell
No.	06-1192	Armstrong v Atkinson
No.	06-1193	Armstrong v. Gould
No.	06-1194	Armstrong v. Haggans
No.	06-1195	Armstrong v. Moore
No.	06-1196	Armstrong v. City of Knightdale
No.	06-1197	Armstrong v City of Nashville
No.	06-1198	Armstrong v. Easley
No.	06-1270	Armstrong v. Nichols
No.	06-1271	Armstrong v. Clayton
No.	06-1272	Armstrong v Clerk of Wilson Co

DISCLOSURE OF CORPORATE AFFILIATION AND OTHER ENTITIES WITH A DIRECT FINANCIAL INTEREST IN LITIGATION

Pursuant to 29.6

Arthur O. Armstrong who is Appellant makes the following disclosure:

1. Is party/amicus a publicly held corporation or other publicly held entity?
( ) YES (X) NO

2. Does party/amicus have any parent corporation?
( ) YES (X) NO

3. Is 10 percent or more of the stock of a party/amicus owned by a publicly held corporation or other publicly held entity?
( ) YES (X) NO

4. Is there any other publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of the litigation?

( ) YES (X) NO

5. Is the party a trade association?

( ) YES (X) NO

/s/ Arthur O. Armstrong (signature) May 30, 2006 (date)

TABLE OF CONTENT

	Page
Questions Presented	i
Parties to the Proceedings	ii
Corporate Disclosure Statement	iv
Table of Contents	xvi
Table of Citations	xviii
Opinion Below	1
Statement of Jurisdiction	1
Constitutional and Statutory Provision Involved	1
Statement of the Case	3
A. Background of the 2006 Judgment	5
B. Proceedings Below	7
Armstrong v Howell	9
Armstrong v Atkinson	11
Armstrong v Gould	12
Armstrong v Haggans	13
Armstrong v Thomasine Moore	15
Armstrong v City of Knightdale	16
Armstrong v City of Nashville	18

Contents

Armstrong v Nichols 19

Armstrong v Clayton 20

Armstrong v Clerk of Wilson Co... 21

Reasons for granting the Writ 22

(a) a United States court of appeals has entered a decision in conflict with the decision of another United States court of appeals on the same important matter; has decided an important federal question in a way that conflicts with a decision by a state court of last resort; or has so far departed from the accepted and usual course of judicial proceedings or sanctioned such a departure by a lower court, as to call for an supervisory power;

(b) a state court of last resort has decided an important federal question in a way that conflicts with the decision of another state court of last resort or of United States court of appeals;

(c) a state court or a United States court of appeals has decided an important question of federal law that has not

been, but should be, settled by this Court, or has decided an important federal question in a way that conflicts with relevant decisions of this Court.

Conclusion 23

TABLE OF CITATIONS

Cases Cited:

Armstrong v. Nashville, City of: 5:05-CV-778-BR 8

Armstrong v. School Dist. of Philadelphia, No. 96-CV-5740, (E.D. Pa) 5

Armstrong v. Tarboro, City of 6

Ash v. Board of Ed. of Woodhaven School Dist. 699 F. 2d 822 ..... passim

Bell v. Maryland [1964] 7

G. M. Leasing v. United States, 429 U.S. 338 (1977) ..... passim

Great West Life Assur. Co. v. Levithan, 834 F. Supp. 858 (E.D. Pa 1993) ..... passim

Green, in re: 598 F. 2d

Contents

1126, 1127 (8th Cir. 1979) ... 2,5

Kentucky v. Graham (1985, US) 87 L Ed 2d 114, 105 S. Ct. 3099 9

Kush v. Rutledge, 460, U.S. 719, 103, S. Ct. 1483, 75 L. Ed. 2d 413 (1983) ..... passim

Owen v. City of Independence, (1980 US) 63 L Ed. 2d 673, S. Ct. 1398 ..... passim

Ricci v. Murphy, 1992 CAL Mass, 979 F. 2d 259 ..... passim

United States v. President (1984, ND I11) 591 F. Supp 1313..... 3,9

Statutes Cited:

28 U.S.C. § 1254(1) 1

28 U.S.C. § 1746 ..... passim

42 U.S.C. § 1981 2

42 U.S.C. § 1983 ..... passim

42 U.S.C. § 1985 ..... passim

42 U.S.C. § 1986 ..... passim

United States Constitution Cited:

Contents

Fourth Amendment ..... passim

Fourteenth Amendment ..... passim

Rule Cited:

Federal Rules Civil Procedure 56 3

Local Rule 3.2 7,8

APPENDIX

Appendix A - -
Opinion of the United States Court of Appeals for the Fourth Circuit Filed April 20, 2006 ..... 1a

Appendix B -
Judgment of the United States Court of Appeals for the Fourth Circuit Filed April 20, 2006 ..... 8a

Appendix C -
Order of U.S. District Court filed January 18, 2006 ..... 12a

Appendix D -
Order filed December 14, 2005 ..... 19a

Appendix E -
Order filed November 22, 2005 ..... 21a

Contents

Appendix F -
Fourth Amendment 23a
Fourteenth Amendment 23a
§ 1983 ..... 23a
§§ 1985 and 1986 ..... 24a

Appendix G -
Howell (06-1191)
Corporate Disclosure
Statement 26a
Informal Brief 27a
Motion for relief 30a
Reconsideration motion 33a
Amended Complaint 35a

Appendix H -
Atkinson (06-1192)
Corporate Disclosure
Statement 38a
Informal Brief 39a
Motion for relief 42a
Reconsideration motion 45a
Amended Complaint 47a

Appendix I -
Gould (06-1193)
Corporate Disclosure
Statement 50a
Informal Brief 51a
Motion for relief 54a
Reconsideration motion 57a
Amended Complaint 59a

Appendix J -
Haggans (06-1194)
Corporate Disclosure
Statement 62a
Informal Brief 63a

Contents

Motion for relief 66a
Reconsideration motion 69a
Amended Complaint 72a

Appendix K -
Moore (06-1195)
Corporate Disclosure
Statement 76a
Informal Brief 77a
Motion for relief 80a
Reconsideration motion 83a
Amended Complaint 85a

Appendix L -
Knightdale (06-1196)
Corporate Disclosure
Statement 89a
Informal Brief 90a
Motion for relief 93a
Reconsideration motion 96a
Amended Complaint 99a

Appendix M -
Nashville (06-1197)
Corporate Disclosure
Statement 103a
Informal Brief 104a
Motion for relief 107a
Reconsideration motion 110a
Amended Complaint 112a

Appenndix N -
Nichols (06-1270)
Corporate Disclosure
Statement 115a
Informal Brief 116a
Motion for relief 119a
Reconsideration motion 121a

Contents

Amended Complaint 123a

Appendix O -
Clayton (06-1271)
Corporate Disclosure
Statement 126a
Informal Brief 127a
Motion for relief 130a
Reconsideration 133a
Amended Complaint 135a

Appendix P -
Clerk of Wilson Co. (06-1272)
Corporate Disclosure
Statement 138a
Informal Brief 139a
Motion for relief 142a
Reconsideration motion 145a
Amended Complaint 147a

Appendix Q -
Motion for relief 151a
Motion for summary
Judgment in response to
December 14, 2005 Order 154a
Complaint 156a

Appendix R -
Supreme Court's view as
to application or applia-
bility of the doctrine
of qualified immunity in
action under 42 USCS §
1983, or in Bivens act-
ion, seeking damages for
alleged civil rights
violations 116 L Ed 2d
965 ..... 159a

Petitioner, Arthur O. Armstrong, respectfully requests that a writ of certiorari be issued to review the judgment of the United States Court of Appeals for the Fourth Circuit in this case.

OPINION BELOW

The opinion of the United States Court of Appeals for the Fourth Circuit is reported at: Arthur O. Armstrong v.: J.C. Howell, 06-1191; C. Atkinson, 06-1192; C. Gould, 06-1193; Bryan Haggans, 06-1194; Thomasine Moore, 06-1195; City of Knightdale, 06-1196; City of Nashville-Rocky Mount, 06-1197; Quentin Sumner, 06-1198; Trooper Nichol, 06-1270; J. Clayton, 06-1271; Wilsoh County Clerk, 06-1272; (4th Cir. 2006) can be found at (App. A). The order of the district court is reported at: Arthur O. Armstrong v: Case Nos: 5:03-CV-941-BR, 5:03-MC-7-BR, 5:03-MC-20-BR, 5:04-11-BR, 5:04-CV-316-BR, 5:05-CV-86-BR, 5:05-CV-89-BR, 5:05-CV-136-BR, 5:05-CV-565-BR, 5:05-CV-778-BR, 5:05-CV-779-BR can be found at (App. C).

STATEMENT OF JURISDICTION

The judgment of the United States Court of Appeals for the Fourth Circuit ("Court of Appeals") was entered on April 20, 2006 (App. B).

The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED

4th Amendment provides: "The rights ... to be secured ... and violating constitutional prohibitions against warrants issued without probable cause."

G. M. Leasing v UNited States. 426 U.S. 338 (1977).

14th Amendment provides: "... No State shall ... deprive any person of life, liberty or property without due process of law ... nor deny any person ... equal protection of the laws."

Ash v. Board of Ed. of Woodhaven School Dist. 699 F. 2d 822.

§ 1981 provides in pertinent parts:

"All persons within the jurisdiction the jurisdiction of the United States shall have the ... right ... to sue." In re Green, 598 F. 2d 1126, 1127 (8th Cir. 1979 .

§ 1983 provides in pertinent parts:

"Every person who under color of any statute ... of any State or Territory, subjects or causes to be subjected of any citizen of the United States ... to the deprivation of any rights, privileges or immunities secured by the Constitution and laws shall be liable to the party injured ..."

Owen v Independence (1980 U.S.) 63 L. Ed 2d 673, 100 S Ct 1398.

§ 1985 provides:

prohibits conspiracies to interfere with civil rights.

§ 1986 provides:

Proscribes knowing neglect to prevent (or aid or abet after the fact) such a conspiracy. See Kush vs. Rutledge, 460 U.S 719, 103 S. Ct. 1483, 75 L. Ed. 2d 413 (1983).

Federal Rule of Civil Procedure 56 provides:

> Where summary judgment motion is supported by affidavit and other documentation, adverse party may not rest on his pleadings but must otherwise show that genuine issue remains for trial pursuant to Rule 56, moreover, where party responding to summary judgment motion fails to raise by affidavit or other materials genuine issue of material fact, facts presented in moving parties' materials are considered established. United States v. President (1984, ND Ill) 591 F Supp 1313.

STATEMENT OF THE CASES

The fundamental question in these cases is whether plaintiff was denied due process when U.S. district court judge failed to conform to the requirements of the federal constitution and the United States statutes at the time of his decision to dismiss plaintiff's viable complaints asserting:

Defendants failed to conform to the requirements of the federal constitution and the United States statutes 42 U.S.C. §§1983; Owen v City of Independence (1980 US) 63 L Ed. 2d 673, 100 S Ct 1398, and 1985 and 1986 In brief: §1985 prohibits conspiracies to interfere with civil rights, and § 1986 proscribes knowing neglect to prevent (or aid or abet after the fact) such a conspiracy. See Kush v. Rutledge, 460 U.S. 719, 103, S. Ct. 1483. 75 L.Ed.2d 413 (1983). That the conduct complained of was engaged in under color of state law and that such conduct subjected the plaintiff of the deprivation of rights, privileges and amenities secured by the federal constitution and the laws of the United States while engaged in the conduct complained of. Kentucky v Graham (1985 US) 87 L Ed 2d 114 105 S Ct 3099. Defendants acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others. Great West Life Assur. Co. v. Levithan, 834 F, Supp 858 (E.D. Pa. 1993)Without probable cause, Murphy 1992 Mass 979 F. 2d 259; stopped and detained the litigant made an entry without a warrant onto private areas of personal premise of plaintiff; invaded his privacy, seized his property in violation of the Fourth Amendment to the Constitution of the United States. G.M. Leasing v United States, 429 U.S. 338 (1977). Since plaintiff's claims were viable claims and no immunity as a defense could be claim, district court decided it had had enough, frustrated and "simply put, at its wit's end. Short of barring plaintiff of filing anything, ..."

See 99-2512. No person "shall ever be denied his rights to the processes of the court." in re Green, 598 F. 2d 1126, 1127 (8th Cir. 1979) claimed that plaintiff's inability to follow court's direction and instruction constitutes adverse court action and dismissed all claims without due process of law. Ash v. Board of Ed. of Woodhaven School Dist. 699 F. 2d 822; Armstrong v School District of Philadelphia, 96-CV-5740 U.S. Dist, Ct. (E.D.Pa). Instruction and direction that is vague and incomprehensible to the pro se plaintiff does not satisfy due process; therefore, district court failed to conform to the requirements of the federal constitution and United States statutes when judge W. Earl Britt dismissed all cases without due process of law because he was frustrated. Justice is ill served with a frustrated judge.

To appreciate the significant of the issues presented by these cases it is essential to consider procedural background.

A. Background of the 2006 Judgment

Mr. Armstrong, from the outset, was restricted from filing any complaint in accordance to the Federal Rules of Civil Procedure in the United States District Court for the Eastern District of North Carolina. That he was allowed to file, only, by permission of the court, in miscellaneous complaint only; no summonses and services were allowed since the nature of the miscellaneous status itself constituted the unlikelihood the case would develop into a viable case since

he was grossly lacking in legal skill and ability to follow DIRECTION and INSTRUCTION to successfully prosecute a case. And by denying him access to the Federal Rules of Civil Procedure instrument, he was unable to get help by due process of law in the form of responses and replies. The plaintiff was required to pay a $39 miscellaneous fee. The judge would examine the claim and decide whether the case was frivolous or meritorious and dismiss the case without due process of law and sanction the plaintiff in the process with monetary fines perhaps $100 or $200 like in Armstrong v. City of Tarboro sort of kept the plaintiff in the dark.

In an order filed November 22, 2005, district court ordered the plaintiff to file motion certifying appeal as having merit without any explanation. Perhaps, maybe the plaintiff should have known, but he lacked such cognizant legal skill and simply filed such purported motions to certify; after the fact learned they were frivolous in the January 18, 2006 order dismissing all the cases asserting constitutional violation without due process of law. Ash v. Board of Ed. of Woodhaven School Dist. 699 F. 2d 822 and certified that a timely appeal as having merit. And any actions that remained opened, clerk was ordered to close them, arbitrarily, without due process of law. Ash v. Board of Ed. of Woodhaven School Dist. 699 F. 2d 822.

Under normal circumstances through the Federal Rules of Civil Procedure, such constitutional cases, on motions to dismiss, the allegation is enough to

prevent dismissal. See In Bell v. Maryland [1964]. Plaintiff appealed all orders to the United States Court of Appeals for the Fourth Circuit, Richmond, VA. On April 20, 2006, the United States Court of Appeal sanctioned district court's January 18, 2006 action when such Court affirmed district court's decision without due process of law Ash v. Board of Ed. of Woodhaven School Dist. 699 F. 2d. 822.

B. The Proceedings Below

Mr. Armstrong filed motions to reopen cases including cases that were illegally closed or not properly terminated. See Armstrong vs. City of Nashville-Rocky Mount, No. 5:05-cv-00778-BR.

On November 21, 2005, plaintifff filed motion in district court to proceed in forma pauperis. On November 22, 2005, the day after the filing, case was closed in violation of Local Rule 3.2. and in violation of the Fourteenth Amendment to the Constitution of the United States. Ash v. Board of Ed. of Woodhaven School Dist. 699 F. 2d 822.

Local Rule 3.2 provides:

> "In all civil actions in which the court denies a plaintiff's motion to proceed in forma pauperis the plaintiff shall be allowed 30 days to pay the requisite filing fee. It the plaintiff fails to pay the filing fee, the clerk shall redesignate the action as a miscellaneous case and close

> the matter without further order from the court."

Plaintiff paid the $250 filing fee on December 2, 2006, well within the applicable time of 30 days; case was reopened in theory, only; in actuality, it remained closed or terminated without due process of law; and in reckless indifference and wanton disregard for the rights of plaintiff and others.

> District court's 22 November maintains: ...once a case is closed either because ... application to proceed in forma pauperis is denied and he has not paid the filing fee, see Local Civil Rule 3.2 ... or because the complaint has been dismissed, plaintiff may not file any document except a notice of appeal and/or motion certifying appeal as having merit ..."

In an order filed December 14, 2005 Armstrong vs. City or Nashville-Rocky Mount, No. 5:05-CV-00778-BR, district court ORDERED plaintiff to particularize his complaint within 20 days so district court could complete its frivolity review because plaintiff had failed to provide sufficient information regarding the nature of his complaint and the court is unable to conduct a frivolity review. Ordered that plaintiff clarifies and provide the exact violation(s) of his constitutional rights he is alleging and present specific facts which relate to each defendant he

has named. "PLAINTIFF IS WARNED THAT FAILURE TO COMPLY WILL RESULT IN DISMISSAL OF THIS ACTION." Plaintiff, in response to district court's December 14, 2006 Order, and pursuant to the Federal Rules of Civil Procedure, plaintiff moved the court with a Rule 56 motion with supporting affidavit and documentation for summary judgment. United States v. President (1984, ND I11) 591 F 2d Supp. 1313. Including in his January 18, 2006 Order, district court stated "Rather than do as instructed on 19 December 2005, plaintiff filed two identical motions for summary judgment... with proposed amended complaints. In those complaints he has not provide the additional information to evaluate his claim" said district court, and dismissed all complaint, including Armstrong vs. Nashville-Rocky Mount, et al, No. 5:05-cv-00778-BR without due process of law. Ash v. Board of Ed. of Woodhaven School Dist. 699 F. 2d 822.There was no defect in Plaintiff's complaint and amended complaints. Kentucky vs. Graham (1985, US) 87 L Ed 2d 114, 105, S Ct 3099 and the material in plaintiff's complaint is considered established. United States v. President (1984, ND I11) 591 F. Supp. 1313.

Armstrong v Howell

The defendants J. C. Howell and John Doe on September 29, 2003, in Wilson County, North Carolina, acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others; Great West Life Assur. Co. v. Levithan, 834 F. Supp. 858

(E.D. Pa. 1993) when the defendants failed to conform to the requirements of the federal constitution and the United States statutes Owen v Independence (1980 U.S.) 63 L. Ed 2d 673 100 S. Ct. 1398 and acted with including but not limited to: gross negligence, arbitrariness, oppression, capriciousness, malice, trickery, fraud, conspiracy when the defendants conspired to go in disguise on the highway for the purpose of depriving either directly or indirectly Mr. Armstrong of equal protection of the laws or of equal privileges and immunities under the laws, or for the purpose of preventing or hindering the constituted authorities of any State of Territory from giving or securing to Mr. Armstrong equal protection of the laws when the defendants without probable cause re Murphy 1992 CAL Mass 979 F. 2d 259, stopped and detained the plaintiff; made an entry without a warrant onto private areas of personal premise of plaintiff, invaded his privace and siezed his vehicle (car) in violation of the Fourth Amendment to the constitution of the United States G. M. Leasing v. United States, 429 338 (1977) and 42 U.S C. §§1985 and 1986 see Kush v Rutledge, 460 U.S. 719, 103 S. Ct. 1483, 75 L.Ed.2d (1983), on false report that plaintiff operated his vehicle with revoked driver's license; in Bell v Maryland [1964]. That the defendants aided and abetted after the fact such a conspiracy. §1985 prohibits conspiracies to interfere with civil rights and §1986 proscribes knowing neglect to prevent (or aid or abet after the fact) such a conspiracy. As a direct and proximate

result of the defendants' action, plaintiff suffered continuing injury including but not limited to mental distress, psychic injury, injury to his reputation, mental anguish and humiliation, I pray for judgment in the sum of $35,000,000.00.

Armstrong v Atkinson

Defendant D. C. Atkinson, a state trooper of North Carolina, on January 3, 2003, acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others Great West Life Assur. Co. v. Levithan, 834 F. Supp. 858 (E.D. Pa. 1993) when defendant failed to conform to the requirements of the federal constitution and the United States statutes Owen v. Independence (1980, U.S.) 63 L Ed 2d 673, 100 S. Ct. 1398 when defendant acted with including but not limited to: arbitrariness, fraud, malice, false report, capriciousness, trickery, gross negligence, defamation, oppression, conspiracy, RICO, misrepresentation and without probable cause Ricci v Murphy, 1992, CAL Mass, 979 F. 2d 259 stopped and detained plaintiff; made an entry without a warrant onto the private areas of personal premise of plaintiff and seized his driver's license and invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States. G.M. Leasing v. United States, 429 U.S. 338 (1977). To justify the violation, defendant acted with falsity and stated that plaintiff failed to stop for the stop sign and failed to wear his seat beat of which plaintiff expressly denied. Plaintiff was fined $175 and placed under

a $500 bond for security in violation of the Fourteenth Amendment to the Constitution of the United States. Ash v Board of Ed. of Woodhaven School Dist. 699 F. 822 until defendant collected the fraud. As a direct and proximate result of defendant's action, plaintiff suffered continuing injuries including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of $100,000,00.

Armstrong v Gould

On September 24, 2001, in Wilson County, North Carolina, the defendant acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others. Great West life Assur. Co. v. Levithan, 834 F. Supp. 858 (E.D. Pa. 1993) when defendant failed to conform to the requirements of the federal constitution and the United States statutes Owen v. Independence (1980, U.S.) 63 L. Ed 2d 673, 100 S. Ct. when defendant acted with including but not limited to: arbitrariness, capriciousness, malice, oppression, fraud, trickery, RICO, gross, negligence, defamation, misrepresentation, and deceit when defendant without probable cause, Ricci v. Murphy, 1992 CAL Mass 979 F. 2d 259 stopped and detained plaintiff; made an entry without a warrant onto private areas of personal premise of plaintiff; seized his license and invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States G. M. Leasing v. United States, 429 U.S. 338 (1977) and 42 U.S.C. §1983 without due process of law. On July

17, 2002, trial court fined plaintiff $447 and placed plaintiff under a $1500 bond and jailed plaintiff for 2 days Ash v. Board of Ed. of Woodhaven School Dist. 699 F. 2d 822 until he paid the $447. As a direct and proximate result of the defendant's action, plaintiff suffered continuing injuries including but not limited to: mental distress, mental anguish, injury to his reputation, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of $100,000,00.

Armstrong v Haggans

On or about November 25, 2002, in Wilson County, NC the defendants acted in a conspiracy against the plaintiff See Kush v. Rutledge, 460 U.S. 719, 103 S.Ct. 1483, 75 L.Ed.2d 413 (1983). In the furtherance of such a conspiracy the defendant acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others Great West Life Assur. Co. v. Levithan, 834 F. Supp. 858 (E.D. Pa. 1993) when the defendants failed to conform to the requirements of the federal constitution and the United States statutes Owen v Independence (1980 U.S.) 63 L. Ed 2d 673, 100 .S Ct 1398 when the defendants acted with including but not limited to: malice, fraud, capriciousness, arbitrariness, trickery, misrepresentation, deceit, RICO, gross negligence, falsity, and breached the written contract when defendants failed to return plaintiff's car in the condition it was prior to the occurrence when defendants wrecked plaintiff 65' Classic Pontiac; therefore,

denied plaintiff the privilege to drive without due process of law Ash v Board of Ed. of Woodhaven School Dist. 699 F. 2d 822 when defendants breached the agreement and returned to plaintiff an inoperative car without due process of law. That the defendant conspired with his clients to go on the premise of his office to file a counterclaim against the plaintiff for the purpose of depriving either directly or indirectly Mr. Armstrong of equal protection of the laws or of equal privileges and immunities under the laws or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to Mr. Armstrong equal protection of the laws and subsequently sued plaintiff for $1100 on perjured and fraudulent statement without a scintilla piece of evidence and on or about April 2, 2004 plaintiff was arrested on false and fraudulent information without due process of law Ash v. Board of Ed. of Woodhaven School Dist. 699 F. 2d 822 in violation of the Fourteenth Amendment to the Constitution of the United States. That the defendants aided and abetted after the fact such a conspiracy. See Kush v Rutledge, 460 U.S. 719, 103 S.Ct.1483, 75 L.Ed.2d 413 (1983). § 1985 prohibits conspiracies to interfere with civil rights and § 1986 proscribes knowing neglect to prevent (or aid or abet after the fact) such a conspiracy. That the plaintiff was deprived of having and exercising any right or privilege of a citizen of the United States. As a direct and proximate result of the defendants' action, plaintiff suffered continuing

injuries including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of $100,000,000.00.

Armstrong v. Thomasine Moore:

The defendants acted in a conspiracy against the plaintiff. See Kush v. Rutledge 460 U.S. 719, 103 S.Ct. 1483, 75 L.Ed.2d 413 (1983). In the furtherance of such a conspiracy, the defendants, on or about but not limited to November 25, 2003, acted with reckless indifference and wanton disregard for the truth or falsity and rights of plaintiff and others Great West Life Assur. Co. v. Levithan, 834 F. Supp. 858 (E.D. Pa. 1993) when the defendants failed to conform to the requirements of the will and retained attorneys, Millicant G. Graves and Thomasine E. Moore to act as instrumentality for a fraud when the defendants failed to conform to the federal constitution and the United States statutes when they acted with arbitrariness, capriciousness, malice, RICO, malicious prosecution, trickery, gross negligence, fraud, misrepresentation, defamation, and breach of fiduciary responsibility against the plaintiff to failed to effectuate the will as required when they failed to fully investigate every phase of plaintiff's case prior to the action or investigated, but failed to discover or discovered that "Minnie Ruth Armstrong [Sic] ½ acres which is situate our home place;" is alias for Arthur O. Armstrong; entitled to the ½ acres home place. That the defendants aided and abetted after the fact such

a conspiracy In brief: §1985 prohibits conspiracies to interfere with civil rights, and §1986 proscribes knowing neglect to prevent (or aid or abet after the fact) such a conspiracy. That effectuation of the will benefits the plaintiff. That plaintiff is entitled, not only accessibility to the property without harm and intimidation, but possession; but acted reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others Great West Life Assur. Co. v. Levithan, 834 F. Supp. 858 (E.D. Pa. 1993) and made **false reports** that plaintiff wants something not conveyed to him in the Armstrong's will in violation of the Equal Protection Clause. As a direct and proximate result of the defendants' action, plaintiff suffered continuing injuries, including but not limited to: mental distress, mental anguish, psychic injury, humiliation and injury to his reputation. I pray for judgment in the sum of $35,000,000.00.

Armstrong v City of Knightdale

That on July 28, August 21, September 16, September 17, December 17, 2005; January 17, March 14 and April 24 and May 12, 2006 in Wake County, North Carolina, the defendants acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others Great West Life Assur. Co. v Levithan, 834 F. Supp. 858 (E.D. Pa. 1993) when the defendants failed to conform to the requirements of the federal constitution and the United States statutes. Owen v Independence (1980, US

63 L Ed 2d 673, 100 S Ct 1398 when the defendants conspired See Kush v. Rutledge, 460 U.S. 719, 103 S.Ct. 1483, 75 L.ED.2d 413 (9183) to go on the highway in disguise for the purpose of depriving either directly or indirectly Mr. Armstrong of equal protection of the laws or of equal privileges or immunities under the laws; of for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to Mr. Armstrong equal such State of Territory equal protection of the laws when the defendants acted with including but not limited to: malice, fraud, arbitrariness, capriciousness, RICO, trickery, gross negligence, false arrest, malicious prosecution, $5,000 bond, active connivance, falsity, oppression, incarceration, without probable cause, stopped and detained plaintiff, made an entry without a warrant, onto private areas of personal premise of plaintiff; seized his property and invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States. G.M. Leasing v United States, 429 U.S. 338 (1977). And on false reports that plaintiff operated his vehicle at 68/50, DWI and with revoked drivers' license In Bell v. Maryland [1964]; See e.g. Shelly v. Kraemer [1948]; trial court fined plaintiff in excess of $1200 and ordered him 7-day active jail time in violation of the Fourteenth Amendment to the Constitution of the United States Ash v. Board of Ed. of Woodhaven School dist. 699 F. 2d 922. As a direct and proximate result of the defendants' action, plaintiff suffered continuing injuries

including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of $100,000,00.

Armstrong v City of Nashville

On or about November 16, 2005 in the City of Nashville, NC, County of Nash, the defendant Chief of Police, John Manley, acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others Great West Life Assur. Co. v. Levithan, 834 F. Supp. 858 (E.D. Pa. 1993) when his officers Steve Hill, John Doe #1 and John Doe #2 conspired See Kush v. Rutledge, 460 U.S. 719 103 S.CT. 1483, 75 L.ED.2d 413 (1993) to go on the highway and premise of the courthouse parking lot for the purpose of depriving either directly or indirectly, Mr. Armstrong of equal protection of the laws of or equal privileges and immunities under the laws or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to Mr. Armstrong within any State of Territory equal protection of the laws when the defendants, without probable cause, Ricci v. Murphy, 1992 CAL Mass 979 F. 2d 259, stopped and detained plaintiff; made an entry without a warrant onto private areas of personal premise of plaintiff; seized his property]automobile] and invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States. G.M. Leasing v United States, 429 U.S. 338 (1977), stated falsely that plaintiff's

driver's license was revoked. As a direct and proximate result of the defendants' action, plaintiff suffered continuing injuries including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of $100,000,000.00.

Armstrong v. Nichols

On January 10, 2003 in Nash County, North Carolina, the defendant acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others Great West Life Assur. Co. v. Levithan, 834 F. Supp. 858 (E.D. Pa. 1993) when the defendant acted with including but not limited to: arbitrariness, capriciousness, fraud, falsity, trickery, oppression, gross negligence, RICO, and conspiracy against the plaintiff when defendant, without probable cause Ricci v. Murphy, 1992 CAL Mass 979 F. 2d 259, stopped and detained plaintiff; made an entry without a warrant onto private areas of personal premise of plaintiff; seized his license and invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States G.M. Leasing v. United States, 429 U.S. 338 (1977). To justify his action, defendant made false report that plaintiff traveled at excessive speed of 69/55 M.P.H. As a direct and proximate result of defendant's action, plaintiff suffered continuing injuries, including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation, I pray for judgment in the sum of $100,000,000.00.

Armstrong v. Clayton

On December 19, 2003 in Wake County, North Carolina, the defendants acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others Great West Life Assur. Co. v. Levithan, 834 F. Supp. 858 (E.D. Pa. 1993) when the defendants failed to conform to the requirements of the Federal Constitution and the United States statutes Owen v. Independence (1980, U.S.) 63 L Ed 2d 673, 100 S. Ct. 1398 when the defendants conspired See Kush v. Rutledge, 460 U.S. 719, 103 S.CT. 1483, 75 Ed.2d 413 (1993) to go in disguise on the highway for the purpose of depriving either directly or indirectly Mr. Armstrong of equal protection of the laws or of equal privileges and immunities under the laws of for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to Mr. Armstrong within any State or Territory the equal protection of the laws when the defendants, without probable cause Ricci v. Murphy, 1992 CAL Mass 979 F. 2d 259 stopped and detained the plaintiff, made an entry without a warrant onto private areas of personal premise of plaintiff; seized his driver's license and invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States G.M. Leasing v. United States, 429 U.S. 338 (1977). To justify defendants' action, the defendant falsely stated that plaintiff operated his vehicle unlawfully and willfully at 71/55 M.P.H. As a direct and proximate result of defendants' action, plaintiff suffered continuing injuries

including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment of $100,000,000.00.

Armstrong v Clerk of Wilson CO

That the defendants acted in a conspiracy against the plaintiff See Kush v. Rutledge, 460 U.S. 719, 103 S. Ct. 1483, 75 L.Ed.2d 413 (1983). In the futherance of such a conspiracy the defendants acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others Great West Life Assur. Co. v. Levithan, 834 F. Supp. 858 (E.D. Pa. 1993) when the defendants failed to conform to the requirements of the federal constitution and the United States statutes Owen v Independence (1980 U.S.) 63 L. Ed 2d 673, 100 S Ct 1398 when defendants acted with including but not limited to: arbitrariness, fraud, capriciousnness, oppression, trickery, gross negligence, malice, deception, RICO, misrepresentation, defamation, false report, and falsity when defendant clerk of court sent false and fraudulent information thereat purporting that plaintiff failed to pay the $447 on or about July 17, 2002. That the defendants aided and abetted after the fact such a conspiracy. In brief, §1985 prohibits conspiracies to interfere with civil rights and §1986 proscribes knowing neglect to prevent (or aid or abet after the fact) such a conspiracy. And as a result of such defamation, North Carolina Department of Transportation on August 29, 2004, without a hearing, and on false reports scheduled and

suspended plaintiff's license without due process of law. Ash v. Board of Ed. of Woodhaven School Dist. 699 F. 2d 822. As a direct and proximate result of the defendants action plaintiff suffered continuing injuries including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment of $100,000,000.00.

REASONS FOR GRANTING THE PETITION

(a) a United States court of appeals has entered a decision in conflict with the decision of another United States of appeals in the same important matter; has decided an important federal question in a way that conflicts with a decision by a state court of last resort; or has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of the Court's supervisory power;
(b) a state court of last resort has decided an important federal question in a way that conflicts with the decision of another state court of last resort or a United States Court of Appeals;
(c) a state court of a United States Court of Appeals has decided an important question of federal law that has not been, but should be settled by this Court, or has decided an important federal question in a way that conflicts

with relevant decisions of this Court.

CONCLUSION

Because of the foregoing, Mr. Armstrong respectfully requests that his petition for a writ of certiorari be granted.

Respectfully submitted,

Arthur O. Armstrong,
8113 Pleasant Hill Road
Elm City, NC 27822
252-236-7912

APPENDIX

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-1191

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

versus

J. C. Howell

Defendant - Appellee

No. 06-1192

In Re: ARTHUR O. ARMSTRONG
Appellant

No. 06-1193

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

versus

C. Gould, State Trooper

Defendant - Appellee

No. 06-1194

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

versus

BRYAN HAGGANS; DEBBIE HAGGANS; ANDREW R. BOYD

Defendants - Appellees

No. 06-1195

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

versus

THOMASINE E. MOORE, NINA A. KNIGHT, MARJORIE A. EVANS

Defendants - Appellees

No. 06-1196

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

versus

CITY OF KNIGHTDALE; KNIGHTDALE POLICE DEPARTMENT; DIRECTOR CAPT. PERSON; A. T. JOHNSTON

Defendants - Appellees

No. 06-1197

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

versus

CITY OF NASHVILLE-ROCKY MOUNT; CITY POLICE DEPARTMENT; JOHN MANLEY; OFFICER STEVE HILL; OFFICER JOHN DOE, I; OFFICER JOHN DOE, II

Defendants - Appellees

No. 06-1198

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

versus

MICHAEL F. EASLEY, Chief Executive State; MR. WARNER, District Attorney; HOWARD S. BONEY; RACHEL JOYNER; TROOPER NICHOLS; QUENTIN SUMNER

Defendants - Appellees

No. 06-1270

In Re: ARTHUR O. ARMSTRONG

Appellant

No. 06-1271

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

versus

TROOPER J. Clayton

Defendant - Appellee

No. 06-1272

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

versus

CLERK OF WILSON COUNTY SUPERIOR COURT; Civil, W. RUSSELL DUKE, JR., MILTON F. FITCH, JR., Judge

Defendants - Appellees

Appeals from the United States District Court for the Eastern District of North Carolina at Raleigh, W. Earl Britt, senior District Judge. (5:03-cv-00941-BR; 5:03-mc-00020-BR; 5:04-cv-00011-BR; 5:05-cv-00086-BR; 5:05-cv-00089-BR; 5:05-cv-00565-BR; 5:05-cv-00778-BR; 5:05-cv-00779-BR; 5:03-00007-BR; 5:04-00316-BR; 5:05-cv-00136-BR)

Submitted: April 5, 2006

Decided: April 2006

Before, MOTZ, TRAXLER, and KING, Circuit Judges.

Affirmed by Unpublished per curiam opinion.

Arthur O. Armstrong, Pro se. Harold

Frandlin Askins, Assistant Attorney General, Stacey Treva Carter. NORTH CAROLINA DEPARTMENT OF JUSTICE, Raleigh, North Carolina, for Appellees.

Published opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Arthur O. Armstrong appeals a district court order dismissing several pending motions, ordering sanctions and enjoining Armstrong from moving to reopen cases or reopen cases against prior defendants or seeking leave to proceed in forma pauperis, among other actions Armstrong is prevented from doing. Armstrong is a frequent litigant wno abuses thwe judicial system through his totally frivolous and barely comprehensible filings. We have sanctioned him on several occasions. We share the district court's frustration with Armstrong and find no abuse of discretion on the district court's part. Accordingly, we affirm for the reasons cited by the district court. See in re Armstrong, No. 5:03-mc-00020 (EDNC filed Jan, 18, 2006; entered Jan. 19, 2006) We also deny all of Armstrong's pending motions requesting general relief. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would

not aid the decisional process.

AFFIRMED

JUDGMENT
Filed April 20, 2006

UNITED STATES COURT OF APPEALS
Fourth Circuit

No. 06-1191
5:03-cv-00941-BR

ARTHUR O. ARMSTRONG
Plaintiff - Appellant

v.

J. C. Howell
Defendant - Appellee

No. 06-1192
5:03-mc-00020-BR

In Re: ARTHUR O. ARMSTRONG
Appellant

No. 06-1193
5:04-cv-00011-BR

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

v.

C. Gould, State Trooper

~~Defendant~~ - Appellee

No. 06-1194
5:05-cv-00086-BR

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

v.

BRYAN HAGGANS; DEBBIE HAGGANS; ANDREW R. BOYD

Defendants - Appellees

No. 06-1195
5:05-cv-00089-BR

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

v.

THOMASINE E. MOORE, NINA A. KNIGHT, MARJORIE A. EVANS

Defendants - Appellees

No. 06-1196
5:05-cv-00565-BR

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

v.

CITY OF KNIGHTDALE; KNIGHTDALE POLICE DEPARTMENT; DIRECTOR CAPT. PERSON; A. T. JOHNSTON

Defendants - Appellees

No. 06-1197
5:05-cv-00778-BR

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

v.

CITY OF NASHVILLE-ROCKY MOUNT; CITY POLICE DEPRTMENT; JOHN MANLEY; OFFICER STEVE HILL; OFFICER JOHN DOE, I; OFFICER JOHN DOE, II

Defendants - Appellees

No. 06-1198
5:05-cv-00779-BR

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

v.

MICHAEL F. EASLEY, Chief Executine State; MR. WARNER, District Attorney; HOWARD S. BONEY; RACHEL JOYNER; TROOPER NICHOLS; QUENTIN SUMNER

Defendants - Appellees

No. 06-1270
5:03-mc-00007-BR

In Re: ARTHUR O. ARMSTRONG

Appellant

No. 06-1271
5:04-cv-00316-BR

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

v.

TROOPER J. Clayton

Defendant - Appellee

No. 06-1272
5:05-cv-00136-BR

ARTHUR O. ARMSTRONG

Plaintiff - Appellant

v.

CLERK OF WILSON COUNTY SUPERIOR COURT; Civil, W. RUSSELL DUKE, JR., MILTON F. FITCH, JR., Judge

Defendants - Appellees

Appeals from the United States District Court for the Eastern District of North Carolina at Raleigh

---

In accordance with the written openion of this Court filed this day, the Court affirms the judgment of the District Court.

A certified copy of this judgment will be provided to the District Court upon issuance of the mandate. The judgment will take effect upon issuance of the mandate.

/s/ Patricia S. Connor

CLERK

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

ARTHUR O. ARMSTRONG CASE NOS. 5:05-941-BR
5:05-7-BR
5:05-20-BR
5:04-11-BR
5:04-316-BR
FiLED JANUARY 18, 2006 5:05-86-BR
5:05-89-BR
5:05-136-BR
5:05-565-BR
5:05-778-BR
5:05-779-BR

ORDER

This matter is before the court on plaintiff's motions in the above-numbered cases. Before addressing those motions, the court provides a brief summary of plaintiff's length history with the judicial system.

For at least the past eleven years, plaintiff has been a prolific litigant in federal and state court, see Armstrong v. Koury Corp., 16 F. Supp. 2d 616, 617-18 & nn, 4-11 (M.D.N.C. 1998). aff'd 168 F. 3d 481 (4th Cir. 1999)(table), and, in fact, has referred to himself as a "semi-professional litigator.'''id, at 617. Before commencing litigation here, plaintiff was well known in the courts of the Eastern District of Pennsylvania, the Middle District of North Carolina, and Guilford County, North Carolina, As Judge Osteen recognized in 1998, which remains true today, "[p]laintiff has continued his predatory litigation in the face of sanctions and in disregard of injunctions." Id. at 618.

Plaintiff begam filing matter with this court in 2000. According to the court's docket, he has initiated 37 civil cases and miscellaneous matters. None of plaintiff's claims has been found to have merit. The majority of his cases have not even made it past a frivolity review. Yet, plaintiff continues to attempt to pursue actions regarding the same incidents against the same parties over and over again. In addition, he continues to file applications to proceed in forma pauperis, despite the fact that the court denies every application. The court has imposed monetary sanctions on plaintiff on multiple occasions, see Armstrong v City of Tarboro, 5:01-MC-36 (E.D.N.C. Nov. 20, 2001), In re Armstrong, 5:05-MC-12 (E.D.N.C. Sept 26, 2005), and subjected him to various filing restrictions-none of which appears to have deterred him whatsoever, Plaintiff's baseless and repetitive actions have greatly taxed the resources of this court and the Clerk's office, and continue to do so.

The instant motions, with the exception of two, apparently resulted from two recent decisions. On 22 November 2005, to address plaintiff's continual filing of motions for leave to file amended complaint in closed cases, the court expanded the filing restrictions on plaintiff in addition to those previously placed on plaintiff in Armstrong v Atkinson, No. 5:04-75-BR. at 2-3 (E.D.N.C. Feb. 12, 2004). The court instructed plaintiff "that once a case is closed either because his application to proceed in forma pauperis is denied and he has not paid the filing fee, see Local Civil

Rule 3.2. EDNC, or because the complaint has been dismissed, plaintiff may not file any documents except a notice of appeal and/or a motion to certify an appeal as having merit, see Armstrong v, Marks. No. 011195 (4th Cir. June 4, 2001)." Armstrong v. Haggans, No. 5:05-CV-86-BR, at 1 (E.D.N.C. Nov. 22. 2005). After this ruling, plaintiff filed the instant motions to certify appeal as having merit. Most of the cases in which plaintiff filed the motions have long ago been closed, so any appeal would be untimely. More importantly, however, the motions, despite their label, have nothing to do with certifying any appeal as having merit, but rather are plaintiff's attempts to have the court reopen cases and file amended complaints. See, e.g., Armstrong v. Howell, 5:03-CV-941-BR (12/9/05 filings) In some of the cases, plaintiff has filed multiple motions to certify. The motions are absolutely frivolous.

The other decision which appears to have prompted plaintiff to file additional frivolous motions is the court's 13 December 2005 order in Armstrong v City of Nashville-Rocky Mount, No. 5:05-CV-778-BR (E.D.N.C.). In that order, the court directed plaintiff to particularize his complaint, "(1) clarifying and providing the exact violation(s) of his constitutional rights he is alleging and (2) presenting specific facts which relate to each defendant he has named." Id. at 1 (emphasis omitted). Rather than do as instructed, on 19 December 2005, plaintiff filed two identical motion for summary judgment to which he attached proposed amended

complaints. In these complaints, he names additional defendants but has not provided the additional information needed by the court to evaluate his claim.

The instant motions serve as examples of plaintiff's persistent filing of frivolous documents, inability to follow the court's directions and instructions, and circumvention of the court's rulings. The court is simply put at its wit's end. Short of baring plaintiff from filing anything, the court is at a loss over how to curb plaintiff's repeated litigation abuses. As set forth below, the court attempted to craft very specific restrictions on plaintiff's activities in this court without unduly restricting his access to the court.

It is hereby ORDERED that:

1. All pending motions in the above numbered cases are DENIED. If any of the above-number cases remains open, the Clerk is DIRECTED to enter judgment against plaintiff and close such case.
2. Plaintiff is SANCTIONED $1000.
3. Until plaintiff pays the sanction in full, plaintiff may not file ANY document with this court against any party he has prevous named (or attempted to name) as a defendant, including the following:
   - THE STATE OF NORTH CAROLINA OR ANY OF ITS AGENCIES OR DEPARTMENTS
     ANY NORTH CAROLINA STATE OR CITY LAW ENFORCEMENT

OFFICER.

ANY DISTRICT ATTORNEY, ASSSISTANT DISTRICT ATTORNEY OR DISTRICT ATTORNEY OFFICE IN THE STATE OF NORTH CAROLINA

ANY NORTH CAROLINA STATE COURT OR JUDICIAL OFFICER, INCLUDING ANY MAGISTRATE OR CLERK OF COURT

UNITED STATES DISTRICT JUDGE TERRENCE W. BOYLE
ANY NORTH CAROLINA COUNTY CITY, OR TOWN

BRYAN HAGGANS

DEBBIE HAGGANS

ANDREW BOYD

THOMASINE MOORE

NINA KNIGHT

MARJORIE EVANS

If plaintiff successfully files any document without having paid the sanction, the Clerk is DIRECTED to strike any document filed from the record and return the document to plaintiff.

4. Plaintiff may file a notice of appeal from this order ONLY, provided such notice of appeal

is accompanied by the filing fee. The court hereby certifies that a timely appeal from this order has merit. See Armstrong v. Marks, No. 01-1195 (4th Cir. June 4, 2001).

5. Subject to the foregoing and from the date of this order, plaintiff is subjected to the following filing restrictions in this court:

a) Plaintiff may file a complaint, provided it is accompanied by the appropriate filing fee. Application to proceed in forma pauperis will not be accepted.

b) Any complaint which plaintiff files must speciffically identify the law(s) which plaintiff alleges was(were) violated and must allege all facts with specificity.

c) The court will review any complaint plaintiff files to determine whether it meets the requirements of (b) above and whether it is repetitive and /or frivolous. If the court concludes the complaint fails to meet the requirements of (b) or is repetitious or frivolous, the court will dismiss the complaint andwill sanction plaintiff in an amount equal to the filing fee. The court will assume plaintiff wishes

to appeal from any order of dismissal and therefore will consider whether an appeal from the order has merit. Plaintiff may not file any subsequent complaint against the named defendant(s) until any sanction imposed is paid in full.

d) Plaintiff may NOT file any document not specifically identified herein absent order of this court.

e) Plaintiff may NOT file any document in any case or miscellaneous matter which has been commenced prior to the date of this order.

f) If plaintiff sucessfully files any document contrary to (a)-(e) above, the Clerk is DIRECTED to strike that document from the record and return it to plaintiff.

This 18 January 2006.

/s/ W. Earl Britt
W. Earl Britt
Senior U.S.
District Judge

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:05-CV-778-BR

ARTHUR O. ARMSTRONG, Plaintiff,

v.

CITY OF NASHVILLE-ROCKY MOUNT CITY POLICE DEPARTMENT, JOHN MANLEY, OFFICER STEVE HILL, OFFICER JOHN DOE #1, OFFICER JOHN DOE #2, Defendants.

ORDER

This matter is before the court on plaintiff's complaint filed 2 December 2005. Pursuant to this court's order, with respect to any action plaintiff initiates in this district, plaintiff may not serve summonses or a copy of the complaint until the court issues an order authorizing plaintiff to proceed. See Armstrong v. Atkinson, No 5:04-CV-75 (E.D.N.C. Feb. 12, 2004). The court will issue such a order only if it determines that the litigation is not repetitious and not frivolous . Id, Because plaintiff has failed to provide sufficient information regarding the nature of his complaint, the court is unable to conduct a complete frivolity review. Therefore plaintiff is ORDERED to particularize his complaint within twenty (20) days of the date of this order is filed, (1)

clarifying and providing the exact violation(s) of his constitutional rights he is alleging and (2) presenting specific facts which relates to each defendant he has named. PLAINTIFF IS WARNED THAT FAILURE TO COMPLY WILL RESULT IN DISMISSAL OF THIS ACTION.

This 13th day of December 2005.

/s/ W. Earl Britt
W. Earl Britt
Senior U.S. District Judge

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No: 5:05-CV-86-BR

ARTHUR O. ARMSTRONG,	)	
	)	**ORDER**
Plaintiff,	)	
	)	
v.	)	
	)	
HAGGANS, BRYAN, HAGGANS, DEBBIE, BOYD, ANDREW R.	)	
	)	
Defendants.	)	

The matter is before the court on plaintiff's 14 October 2005 motion for leave to file a motion to reopen this case and file an amended complaint and supplemental complaint. The court dismissed this case and entered judgment against plaintiff on 22 February 2005. Despite the closing of the case and plaintiff's filing of a notice of appeal from the judgment, plaintiff continues to file motions for leave to file an amended and supplemental complaint, with the instant motion being the third filed. In addition, the court notes that plaintiff has filed similar motions in numerous other closed cases. The motion is **DENIED**. Plaintiff is **INSTRUCTED** that once a case is closed either because his application to proceed in forma pauperis is denied and he has not paid the filing fee, see Local Civil Rule 3.2, EDNC, or because the complaint has been dismissed,

plaintiff may not file any documents except a notice of appeal and/or a motion to certify an appeal as having merit, see Armstrong v. Marks, No. 01-1195 (4th Cir, June 4, 2001). If plaintiff attampts to file any further doctments other than a notice of appeal and/or a motion to certify an appeal as having merit after the case is closed, the Clerk is DIRECTED to return such a document to plaintiff.

This 22 November 2005.

/s/ W. Earl Britt
W. Earl Britt
Senior U.S. District judge

The Fourth Amendment:
The right of the people to be secured in their person, house, papers, and effects, against unreasonable searches and seizures shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

The Fourteenth Amendment: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

42 U.S.C. § 1983: "Every person who under color of any statute, ordinance, regulation, custom or usages, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges or immunities secured by the

Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

42 U.S.C. §§1985 and 1986

"If two or more persons in any State of Territory conspire or go in disguise on the highway or on the premise of another, for the purpose of depriving, either directly of indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory the equal protection of the laws * * *: in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so inured or deprived may have an action for the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirator."

Section 1986 provides:
"Every person who having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having the power to prevent, or aid in the preventing the commission of the same neglects or refused so to do. If such wrongful act be committed, shall be liable to the party injured, or his legal representatives for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case, and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action ***."

SUPREME COURT OF THE UNITED STATES

Washington, D.C.

No. 06-1191 Armstrong v Howell

DISCLOSURE OF CORPORATE AFFILIATION AND OTHER ENTITIES WITH A DIRECT FINANCIAL INTEREST IN LITIGATION

Rule 29.6

Arthur O. Armstrong who is Appellant makes the following disclosure:

1. Is party/amicus a publicly held corporate or other publicly held entity?
( ) YES (X) NO

2. Does party/amicus have any parent corporation?
( ) YES (X) NO

3. Is 10 percent or more of the stock of a party/amicus owned by a publicly held corporation or other publicly held entity?
( ) YES (X) NO

4. Is there any other publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of the litigation?
( ) YES (X) NO

5. Is the party a trade association?
( ) YES (X) NO

/s/ Arthur O. Armstrong (signature) June 1, 2006 (date)

INFORMAL BRIEF

1. Jurisdiction

A What is the name of the court from which you are appealing?

United States District Court for the Eastern District of North Carolina

B. What is the date(s) of the order you are appealing?

January 18, 2006

2.

3. Issues on Appeal

Issue 1. Did trooper J.C. Howell and John Doe act in a conspiracy on September 29, 2003 against plaintiff?

Supporting Facts and Argument. Yes, Howell and John Doe acted in a conspiracy on Sept. 29, 2003 against plaintiff under §§1985 and 1986 - in brief: §1985 prohibits conspiracies to interfere with civil rights §1986 proscribes knowing neglect to prevent (or aid or abet after the fact) such a conspiracy.

Issue 2. Did Howell and John Doe violate plaintiff's Fourth Amendment Rights on Sept. 29, 2003?

Supporting Facts and Argument. Yes, deprived plaintiff of his constitutional rights to be secured against unreasonable searches and seizures and violating

warrants issued w..hout probable cause or without warrants.

Issue 3. Did Howard S. Boney act with malicious prosecution against plaintiff?

Supporting Facts and Argument. Yes, Mr. Boney acted with malicious prosecution against plaintiff for lack of probable cause.

Issue 4. Did the defendants aid and abet after the fact such a conspiracy?

Supporting Facts and Argument. Yes, the defendants aided and abetted, after the fact, such a conspiracy when plaintiff was fined $250 and subjected to a jury trial without due process of law in violation of the Fourteenth Amendment to the Constitution of the U.S.

Issue 5. Did J.C. Howell and John Doe act with defamation against plaintiff?

Supporting Facts and Argument. Yes, defendants stated falsely that plaintiff operated vehicle with revoked driver's license.

Relief Requested: Plaintiff requests compensatory and punitive damages in the sum of $100,000,00.00.

CERTIFICATE OF SERVICE

I certify that on March 13, 2006 I mailed a complete copy of this Informal Brief and all attachmentsd to all parties addressed as shown below.

/s/ Arthur O. Armstrong
Arthur O. Armstrong

Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

Stacey Treva Crter, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
P. O. Box 629
Raleigh, NC 27602

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

ARTHUR O. ARMSTRONG	) No.
	)
vs.	) APPELLANT'S MOTION
	) FOR RELIEF WITH
J. C. HOWELL, et al,	) SUPPORTING AFFIDAVIT
	) AND DOCUMENTATION
	) (BRIEF ¶II)

COMES NOW, the Appellant, Arthur O. Armstrong, named in this action and moves this Honorable Court, with supporting affidavit and documentation, for relief, pursuant to Rule 27 (a)(2) of the Federal Rules of Appellate Procedure, for reasons more fully set forth in the Appellant's Brief.

IN SUPPORT HEREOF, Appellant shows unto the Court that:

I. On or about August 15, 2004, district Court dismissed Appellant's complaint for failure to state a claim. Appellant's amended complaint cures all defects.

NOW THEREFORE, the Appellant files his Brief.

II. That on September, 29, 2003, in Wilson County, NC, the Appellees acted in a conspiracy against the Appellant In the furtherance of such a conspiracy, the Appellees failed to conform to the requirements of the Federal Constitution and United States statutes (affidavit, p. 1, ¶6). The Appellees aided and abetted after the fact such a conspiracy (id., ¶8). As a direct and proximate result of the Appellees' action, the Appellant suffered continuing injury, including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of 100,000,000 (id.,

¶11).

SUMMARY:

Because of the foregoing, the Appellant respectfully requests that motion for relief, in accordance to Rule 27 (a) (2) of the Federal Rules of Appellate Procedure, be granted.

Respectfully submitted this the 11th day of May, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

OF COUNSEL:

ARTHUR O. ARMSTRONG
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under United States laws that the foregoing and within statements are true and correct (28 U.S.C. §1746.)

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant
252-236-7912

May 12, 2006

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Fred L. Borch, III, Clerk
United States District Court
U.S. Courthouse
P. O. Box 25670
Raleigh, NC 27611

Harold Franklin Askins, Esq.
North Carolina Department of Justice
9001 Mail Service Center
Raleigh, NC 27699

May 11, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DISTRICT

ARTHUR O. ARMSTRONG	) 5:03-941-BR
	)
vs.	) PLAINTIFF'S MOTION
	) FOR LEAVE TO FILE
J. C. HOWELL, et al	) MOTION FOR RECON-
	) SIDERATION-BRIEF ¶II

COMES NOW, the plaintiff, Arthur O. Armstrong named in this action and moves this Honorable Court, for leave to file motion for reconsideration, for reasons more fully set forth in the party's brief.

IN SUPPORT HEREOF, the plaintiff shows unto the court that:

I. On or about August 15, 2004, plaintiff's complaint was dismissed for failure to state a claim. Plaintiff's amended complaint cures all defects.

NOW THEREFORE, plaintiff files this brief:

II. On September 29, 2003, in Wilson County, North Carolina, the defendants Howell and John Doe acted in a conspiracy. In the furtherance of **such a conspiracy** the defendants failed to conform to the requirements of the Federal Constitution and the United States statutes (affidavit, p. 1, ¶6). The **defendants aided and abetted** after the fact such a conspiracy (id., ¶8). As a direct and proximate result of defendants' action, plaintiff suffered continuing injuries including but not limited to: mental distress, psychic injury in the sum of $100,000,000 (id., ¶11).

SUMMARY:

Because of the foregoing, plaintiff respectfully requests that motion for

leave to file motion for reconsideration, in accordance to the Federal Rules of Civil Procedure, be granted.

Respectfully submitted this the 26th day of April, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under U. S. laws that the within and foregoing statements are true and correct (28 U.S.C. §1746.)

May 30, 2006. /s/ Arthur O. Armstrong
Arthur O. Armstrong

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion for leave to file motion for relief by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699
This 11th day of May, 2006

/s/ Arthur O. Armstrong

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DISTRICT

ARTHUR O. ARMSTRONG, PLAINTIFF,	) 5:03-CV-941-BR
	) CIVIL RIGHTS
vs.	) VIOLATION 42 U.S.C.
	) §§1983,1985,1986
MICHAEL F. EASLEY,	)
MILTON FITCH,	) AMENDED COMPLAINT
HOWARD S. BONEY,	)
TROOPER J. C. HOWELL,	)
JOHN DOE,	)
DEFENDANTS.	)

Plaintiff alleges and says:

1. Plaintiff resides in the City of Elm City, County of Wilson and State of North Carolina.

2. Defendant Mike Easley is the North Carolina State Chief Executive officer.

3. Defendant Milton Fitch is the residing judge in Wilson County.

4. Defendant J.C. Howell and John Doe are state troopers for the district of Wilson County.

6. That on September 29, 2003, in Wilson County, North Carolina, the defendants failed to conform to the requirements of the federal constitution and the United States statutes when the defendants conspired to go on the highway in disguise for the purpose of depriving either directly or indirectly Mr. Armstrong of equal protection of the laws or of equal privileges or immunities under the laws or for the purpose of preventing or hindering the constituted authorities of any State or Territory the equal protection of the laws when the defendants acted with reckless

the defendants acted with reckless indifference and wanton disregards for the truth or falsity and the rights of plaintiff and others when they acted with including but not limited to: malice, arbitrariness, capriciousness, falsity, fraud, trickery, gross negligence, RICO, conspiracy, and oppression against the plaintiff and without probable cause, stopped and detained the plaintiff; made an entry without a warrant onto private areas of personal premise of plaintiff, seized his driver's license and searched his vehicle and invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States and 42 U.S.C. §1983 and falsely stated that plaintiff operated his vehicle with revoked driver's license and without seat belt.

7. That each defendant had knowledge of the wrongs conspired to be done and had the power to prevent or aid in preventing the commission of same but neglected and refused so to do.

8. That the defendants aided and abetted after the fact such a conspiracy.

9. The plaintiff was deprived of having and exercising any right or privilege of a citizen of the United States

10. That the conduct complained of was engaged in under color of state law and that such conduct subjected plaintiff of the deprivation of rights, privileges and amenities secured by the Federal Constitution and the United States laws while engaged in the conduct complained of.

11. As a direct and proximate result of the defendant's action, plaintiff suffered continuing injuries, including

but not limited to, mental anguish, psychic injury, mental distress, humiliation and injury to his reputation. I pray for judgment of $100,000,000.00 from defendants.

WHEREFORE, plaintiff prays that judgment in the sum of $100,000,000.00 be granted as follows:

1. Compensatory and punitive damages in the sum of $100,000,000 under 42 U.S.C. §§1983, 1985 & 1986 - Civil Rights Act.

2. Civil Rights Attorney's Fees Award Act - 42 U.S.C. 1988 or as a component of punitive damages.

3. For costs and expenses as part of the 42 U.S.C. §1983 - Civil Rights Act, and such other and further relief as the Court deems just and proper.

Respectfully submitted this the 9th day of January, 2004.

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff
252-236-7912

DEMAND JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleadings in this action.

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

SUPREME COURT OF THE UNITED STATES

Washington, D.C.

No. 06-1192 Armstrong v Atkinson

DISCLOSURE OF CORPORATE AFFILIATION AND OTHER ENTITIES WITH A DIRECT FINANCIAL INTEREST IN LITIGATION

Rule 29.6

Arthur O. Armstrong who is Appellant makes the following disclosure:

1. Is party/amicus a publicly held corporate or other publicly held entity?
( ) YES (X) NO

2. Does party/amicus have any parent corporation?
( ) YES (X) NO

3. Is 10 percent or more of the stock of a party/amicus owned by a publicly held corporation or other publicly held entity?
( ) YES (X) NO

4. Is there any other publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of the litigation?
( ) YES (X) NO

5. Is the party a trade association?
( ) YES (X) NO

/s/ Arthur O. Armstrong June 1, 2006
(signature) (date)

INFORMAL BRIEF

1. Jurisdiction

A What is the name of the court from which you are appealing?

United States District Court for the Eastern District of North Carolina

B. What is the date(s) of the order you are appealing?

January 18, 2006

2.

3. Issues on Appeal

Issue 1. Did defendants act in a conspiracy on or about April 10, 2003 against plaintiff?

Supporting Facts and Argument. Yes, the defendants acted in a conspiracy on or about April 10, 2003 against plaintiff under §§1985 and 1986 - in brief: §1985 prohibits conspiracies to interfere with civil rights §1986 proscribes knowing neglect to prevent (or aid or abet after the fact) such a conspiracy.

Issue 2. Did Trooper C. Atkinson violate plaintiff's Fourth Amendment Rights on January 3, 2003?

Supporting Facts and Argument. Yes, deprived plaintiff of his constitutional rights to be secured against unreasonable searches and seizures and violating warrants issued without probable cause or without warrants.

Issue 3. Did Howard Boney act with malicious prosecution against plaintiff?

Supporting Facts and Argument. Yes, Mr. Boney did act with malicious prosecution against plaintiff for lack of probable cause.

Issue 4. Did the defendants aid and abet after the fact such a conspiracy?

Supporting Facts and Argument. Yes, the defendants, all of them, aided and abetted, after the fact, such a conspiracy when plaintiff's unopposed motions to suppress, and motion to dismiss were denied and he was subjected to a jury trial to arbitrarily determine the fact without due process of law and on false report that plaintiff failed to stop for a stop signiction and fined him $252 in violation of the Equal Protection Clause.

Issue 5. Did the defendants act with defamation against plaintiff?

Supporting Facts and Argument. Yes, defendants stated falsely that plaintiff operated vehicle unlawfully and willfully failed to stop for a stop sign; subsequently and consequently his insurance escalated.

Relief Requested: Plaintiff requests compensatory and punitive damages in the sum of $100,000,00.00.

CERTIFICATE OF SERVICE

I certify that on March 13, 2006 I mailed a complete copy of this Informal Brief and all attachments to all parties addressed as shown below.

/s/ Arthur O. Armstrong
Arthur O. Armstrong

Stacey Treva Carter, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
P. O. Box 629
Raleigh, NC 27602

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

ARTHUR O. ARMSTRONG	)	No.
	)	
vs.	)	APPELLANT'S MOTION
	)	FOR RELIEF WITH
TROOPER ATKINSON,	)	SUPPORTING AFFIDAVIT
et al	)	AND DOCUMENTATION
	)	(BRIEF ¶II)

COMES NOW, the Appellant, Arthur O. Armstrong, named in this action and moves this Honorable Court, with supporting affidavit and documentation, for relief, pursuant to Rule 27 (a)(2) of the Federal Rules of Appellate Procedure, for reasons more fully set forth in the Appellant's Brief.

IN SUPPORT HEREOF, Appellant shows unto the Court that:

I. On March 23, 2003, distrist Court denied Appellant's complaint for failure to make payment. Appellant's amended complaint cures all defects.

NOW THEREFORE, the Appellant files his Brief.

II. The Appellee failed to conform to the requirements of the Federal Constitution and United States statutes (affidavit, p. 1, ¶8). As a direct and proximate result of the Appellees' action, the Appellant suffered continuing injury, including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of $100,000,000 (id., ¶13).

SUMMARY:

Because of the foregoing, the

Appellant respectfully requests that motion for relief, in accordance to Rule 27 (a) (2) of the Federal Rules of Appellate Procedure, be granted.

Respectfully submitted this the 11th day of May, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

OF COUNSEL:

ARTHUR O. ARMSTRONG
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under United States laws that the foregoing and within statements are true and correct (28 U.S.C. §1746.)

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant
252-236-7912

May 12, 2006

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Fred L. Borch, III, Clerk
United States District Court
U.S. Courthouse
P. O. Box 25670
Raleigh, NC 27611

Harold Franklin Askins, Esq.
North Carolina Department of Justice
9001 Mail Service Center
Raleigh, NC 27699

May 11, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DISTRICT

ARTHUR O. ARMSTRONG	) 5:03-00020-BR
	)
vs.	) PLAINTIFF'S MOTION
	) FOR LEAVE TO FILE
TROOPER ATKINSON,	) MOTION FOR RECON-
et al	) SIDERATION-BRIEF ¶II

COMES NOW, the plaintiff, Arthur O. Armstrong named in this action and moves this Honorable Court, for leave to file motion for reconsideration, for reasons more fully set forth in the party's brief.

IN SUPPORT HEREOF, the plaintiff shows unto the court that:

I. On or about March 23, 2003, plaintiff's complaint was denied for failure to make payment. Plaintiff's amended complaint cures all defects.

NOW THEREFORE, plaintiff files this brief:

II. In Edgecombe County, North Carolina, the defendant Atkinson failed to conform to the requirements of the Federal Constitution and the United States statutes (affidavit, p. 1, ¶8). As a direct and proximate result of defendant's action, plaintiff suffered continuing injuries including but not limited to: mental distress, psychic injury in the sum of $100,000,000 (id., ¶13).

SUMMARY:

Because of the foregoing, plaintiff respectfully requests that motion for leave to file motion for reconsideration, in accordance to the Federal Rules of Civil Procedure, be granted.

Respectfully submitted this 26th day of April, 2003.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under U. S. laws that the within and foregoing statements are true and correct (28 U.S.C. §1746.)

May 30, 2006. /s/ Arthur O. Armstrong
Arthur O. Armstrong

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion for leave to file motion for relief by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

This 11th day of May, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

ARTHUR O. ARMSTRONG, PLAINTIFF,	)	03-CV-20-BR
	)	CIVIL RIGHTS
vs.	)	VIOLATION
	)	
MICHAEL F. EASLEY, C. ATKINSON, WILLIAM GRIFFIN, JUDGE WILLIAM HOWARD S. BONEY, DEFENDANTS.	)	42 U.S.C. §§1983, 1985,1986.
	)	**AMENDED COMPLAINT**

Plaintiff alleges and says:

1. Plaintiff resides in the City of Elm City, County of Wilson and State of North Carolina.

2. Defendant Michael F. Easley is the Chief Executive State Official of North Carolina.

3. Defendant Atkinson is a North Carolina State trooper.

4. Defendant Griffin is an elected official in the capacity of Judge to hear and decide cases based on the evidence by due process of law.

5. Defendant Judge William is the district court residing.

6. Defendant Howard S. Boney is the District Attorney.

7. At all mentioned in this complaint the defendants were acting under color of state law.

8. On January 3, 2003 in Edgecombe County, North Carolina, the defendant Trooper Atkinson acted with reckless indifference and wanton disregards for the truth or falsity and the rights of plaintiff and others when he acted with including but not limited to: arbitrariness, capriciousness, malice, RICO, fraud, trickery, gross negligence,

RICO, fraud, trickery, gross negligence, conspiracy, oppression, against the plaintiff when the defendant without probable cause, stopped and detained the plaintiff; made an entry without a warrant onto private areas of personal premise of plaintiff, seized his driver's license and searched his vehicle and invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States and 42 U.S.C. §1983.

9. On or about March 10, 2003, defendant falsely stated to trial court that plaintiff failed to stop at the stop sign, of which plaintiff expressly denied.

10. Defendant trial court, without probable cause fined Plaintiff $175 without due process of law.

11. Plaintiff refused to pay on contention that trial court lack probable cause .

12. Judge William placed plaintiff under arrest until he paid the fine; plaintiff appealed; placed plaintiff under $500 bond in violation of the Fourteenth Amendment to the Constitution of the United States.

13. As a direct and proximate result of the defendant's action, plaintiff suffered continuing injuries, including but not limited to, mental anguish, psychic injury, mental distress, humiliation and injury to his reputation. I pray for judgment of $100,000,000.00 from defendants.

WHEREFORE, plaintiff prays that judgment in the sum of $100,000,000.00 be granted as follows:

1. Compensatory and punitive damages in the sum of $100,000,000 under 42 U.S.C.

§§1983, 1985 & 1986 - Civil Rights Act.

2. Civil Rights Attorney's Fees Award Act - 42 U.S.C. 1988 or as a component of punitive damages.

3. For costs and expenses as part of the 42 U.S.C. §1983 - Civil Rights Act, and such other and further relief as the Court deems just and proper.

Respectfully submitted this the 9th day of January, 2004.

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff
252-236-7912

DEMAND JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleadings in this action.

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

SUPREME COURT OF THE UNITED STATES

Washington, D.C.

No. 06-1193 Armstrong v Could

DISCLOSURE OF CORPORATE AFFILIATION AND OTHER ENTITIES WITH A DIRECT FINANCIAL INTEREST IN LITIGATION

Rule 29.6

Arthur O. Armstrong who is Appellant makes the following disclosure:

1. Is party/amicus a publicly held corporate or other publicly held entity?
( ) YES (X) NO

2. Does party/amicus have any parent corporation?
( ) YES (X) NO

3. Is 10 percent or more of the stock of a party/amicus owned by a publicly held corporation or other publicly held entity?
( ) YES (X) NO

4. Is there any other publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of the litigation?
( ) YES (X) NO

5. Is the party a trade association?
( ) YES (X) NO

/s/ Arthur O. Armstrong (signature) June 1, 2006 (date)

INFORMAL BRIEF

1. Jurisdiction

A What is the name of the court from which you are appealing?

United States District Court for the Eastern District of North Carolina

B. What is the date(s) of the order you are appealing?

January 18, 2006

2.

3. Issues on Appeal

Issue 1. Did trooper C. Gould on August 24, 2001 failed to conform to the requirements of the federal constitution and 42 U.S.C. §1983?

Supporting Facts and Argument. Yes, C. Gould did failed to conform to the requirements of the federal constitution and 42 U.S.C. §1983 because there was no probable cause to stop plaintiff and Gould made the entry without a warrant in violation of the Fourth Amendment to the Constitution of the United States.

Issue 2. Did C. Gould act with defamation of character against the plaintiff?

Supporting Facts and Argument. Yes, he made false reports that plaintiff operated his vehicle with revoked driver's license.

Issue 3. Did the defendants act in a conspiracy against the plaintiff?

Supporting Facts and Argument. Yes, the defendants on or about but not limited to June 16, 2002, conspired against plaintiff in subjecting plaintiff to a jury to, arbitrarily, determine the facts, without probable cause, in violation of §§1985 and 1986.

Issue 4. Did Howard S. Boney act with malicious prosecution against plaintiff?

Supporting Facts and Argument. Yes, Mr. Boney acted with malicious prosecution against plaintiff for lack of probable cause.

Issue 4. Did the defendants aid and abet after the fact such a conspiracy?

Supporting Facts and Argument. Yes, the defendants, all of them, aided and abetted, after the fact, such a conspiracy when plaintiff's unopposed motions to suppress, and motion to dismiss were denied and he was subjected to a jury trial to arbitrarily determine the fact without due process of law and on false report that plaintiff's license was revoked.

Issue 5. Did the defendants deny plaintiff liberty and property without due process of law?

Supporting Facts and Argument. Yes, defendants on false report that plaintiff operated vehicle unlawfully and willfully with revoked driver's license and failure

to appear plaintiff was fined $447 and paid such; and jailed in violation of the Fourteenth Amendment to the Constitution of the United States. As a result of the defamation, Department of Transportation suspended plaintiff's driver's license indefinitely without due process of law.

Relief Requested: Plaintiff requests compensatory and punitive damages in the sum of $100,000,00.00.

CERTIFICATE OF SERVICE

I certify that on March 13, 2006 I mailed a complete copy of this Informal Brief and all attachments to all parties addressed as shown below.

/s/ Arthur O. Armstrong
Arthur O. Armstrong

Stacey Treva Carter, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
P. O. Box 629
Raleigh, NC 27602

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

ARTHUR O. ARMSTRONG	) No.
	)
vs.	) APPELLANT'S MOTION
	) FOR RELIEF WITH
C. GOULD, et al	) SUPPORTING AFFIDAVIT
	) AND DOCUMENTATION
	) (BRIEF ¶II)

COMES NOW, the Appellant, Arthur O. Armstrong, named in this action and moves this Honorable Court, with supporting affidavit and documentation, for relief, pursuant to Rule 27 (a)(2) of the Federal Rules of Appellate Procedure, for reasons more fully set forth in the Appellant's Brief.

IN SUPPORT HEREOF, Appellant shows unto the Court that:

I. On or about August 15, 2004, district Court dismissed Appellant's complaint for failure to state a claim. Appellant's amended complaint cures all defects.

NOW THEREFORE, the Appellant files his Brief.

II. That on August 24, 2001, in Wilson County, NC, the Appellee Gould failed to conform to the requirements of the Federal Constitution and United States statutes (affidavit, p. 1, ¶6). As a direct and proximate result of the Appellee's action, the Appellant suffered continuing injury, including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of 150,000,000 (id., ¶8).

SUMMARY:

Because of the foregoing, the Appellant respectfully requests that motion for relief, in accordance to Rule 27 (a) (2) of the Federal Rules of Appellate Procedure, be granted.

Respectfully submitted this the 11th day of May, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

OF COUNSEL:

ARTHUR O. ARMSTRONG
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under United States laws that the foregoing and within statements are true and correct (28 U.S.C. §1746.)

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant
252-236-7912

May 12, 2006

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Fred L. Borch, III, Clerk
United States District Court
U.S. Courthouse
P. O. Box 25670
Raleigh, NC 27611

Harold Franklin Askins, Esq.
North Carolina Department of Justice
9001 Mail Service Center
Raleigh, NC 27699

May 11, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTEP DISTRICT

ARTHUR O. ARMSTRONG	) 5:04-11-BR
	)
vs.	) PLAINTIFF'S MOTION
	) FOR LEAVE TO FILE
C. GOULD, et al	) MOTION FOR RECON-
	) SIDERATION-BRIEF ¶II

COMES NOW, the plaintiff, Arthur O. Armstrong named in this action and moves this Honorable Court, for leave to file motion for reconsideration, for reasons more fully set forth in the party's brief.

IN SUPPORT HEREOF, the plaintiff shows unto the court that:

I. On or about August 15, 2004, plaintiff's complaint was dismissed for failure to state a claim. Plaintiff's amended complaint cures all defects.

NOW THEREFORE, plaintiff files this brief:

II. On August 24, 2001, in Wilson County, North Carolina, the defendant Gould failed to conform to the requirements of the Federal Constitution and the United States statutes (id., ¶6). As a direct and proximate result of defendant's action, plaintiff suffered continuing injuries including but not limited to: mental distress, psychic injury in the sum of $150,000,000 (id., ¶8).

SUMMARY:

Because of the foregoing, plaintiff

respectfully requests that motion for leave to file motion for reconsideration, in accordance to the Federal Rules of Civil Procedure, be granted.

Submitted this 26th day of April, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under U. S. laws that the within and foregoing statements are true and correct (28 U.S.C. §1746.)

May 30, 2006. /s/ Arthur O. Armstrong
Arthur O. Armstrong

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

This 11th day of May, 2006

/s/ Arthur O. Armstrong

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DISTRICT

ARTHUR O. ARMSTRONG, PLAINTIFF,	) 5:04-CV-11-BR
	) CIVIL RIGHTS
vs.	) VIOLATION 42 U.S.C.
	) §§1983,1985,1986
MICHAEL F. EASLEY,	)
FRANK R. BROWN,	) AMENDED COMPLAINT
MILTON FITCH,	)
HOWARD S. BONEY,	)
TROOPER C. GOULD,	)
DEFENDANTS.	)

Plaintiff alleges and says:

1. Plaintiff resides in the City of Elm City, County of Wilson and State of North Carolina.

2. Defendant Mike Easley is the North Carolina State Chief Executive officer.

3. Defendant Frank R. Brown is regional court judge for district 7.

4. Defendant Milton Fitch is the residing judge in Wilson County.

5. Defendant C. Gould is a state trooper for the district of Wilson County.

6. That on August 24, 2001, in Wilson County, North Carolina, the defendant failed to conform to the requirements of the federal constitution and the United States statutes when Trooper Gould acted with reckless indifference and wanton disregards for the truth or falsity and the rights of plaintiff and others when he acted with including but not limited to: malice, arbitrariness, capriciousness, falsity, fraud, trickery, gross negligence, RICO, conspiracy, and oppression against the plaintiff when the defendant, without

probable cause, stopped and detained the plaintiff; made an entry without a warrant onto private areas of personal premise of plaintiff, seized his driver's license and searched his vehicle and invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States and 42 U.S.C. §1983.

7. That the conduct complained of was engaged in under color of state law and that such conduct subjected plaintiff of the deprivation of rights, privileges and amenities secured by the Federal Constitution and the United States laws while engaged in the conduct complained of.

8. As a direct and proximate result of the defendant's action, plaintiff suffered continuing injuries, including but not limited to, mental anguish, psychic injury, mental distress, humiliation and injury to his reputation. I pray for judgment of $150,000,000.00 from defendants.

WHEREFORE, plaintiff prays that judgment in the sum of $150,000,000.00 be granted as follows:

1. Compensatory and punitive damages in the sum of $150,000,000 under 42 U.S.C. §§1983, 1985 & 1986 - Civil Rights Act.

2. Civil Rights Attorney's Fees Award Act - 42 U.S.C. 1988 or as a component of punitive damages.

3. For costs and expenses as part of the 42 U.S.C. §1983 - Civil Rights Act, and such other and further relief as the Court deems just and proper.

Respectfully submitted this the 9th day of January, 2004.

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff
252-236-7912

DEMAND JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleadings in this action.

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

SUPREME COURT OF THE UNITED STATES

Washington, D.C.

No. 06-1194 Armstrong v Haggans

DISCLOSURE OF CORPORATE AFFILIATION AND OTHER ENTITIES WITH A DIRECT FINANCIAL INTEREST IN LITIGATION

Rule 29.6

Arthur O. Armstrong who is Appellant makes the following disclosure:

1. Is party/amicus a publicly held corporate or other publicly held entity?
( ) YES (X) NO

2. Does party/amicus have any parent corporation?
( ) YES (X) NO

3. Is 10 percent or more of the stock of a party/amicus owned by a publicly held corporation or other publicly held entity?
( ) YES (X) NO

4. Is there any other publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of the litigation?
( ) YES (X) NO

5. Is the party a trade association?
( ) YES (X) NO

/s/ Arthur O. Armstrong (signature) June 1, 2006 (date)

INFORMAL BRIEF

1. Jurisdiction

A What is the name of the court from which you are appealing?

United States District Court for the Eastern District of North Carolina

B. What is the date(s) of the order you are appealing?

January 18, 2006

2.

3. Issues on Appeal

Issue 1. Did Debbie and Bryan Haggans act in a conspiracy on or about but not limited to November 25, 2002, against plaintiff?

Supporting Facts and Argument. Yes, they acted in a conspiracy against plaintiff under §§1985 and 1986 -- in brief: §1985 prohibits conspiracies to interfere with civil rights §1986 proscribes knowing neglect to prevent (or aid or abet after the fact) such a conspiracy.

Issue 2. Did Debbie and Bryan Haggans breach the written contract agreement in repairing plaintiff's '65 GTO Pontiac Classic?

Supporting Facts and Argument. Yes, deprived plaintiff of his constitutional rights to have his car in the situation as it existed prior to the occurrence. Defendants denied plaintiff the privilege of driving such classic without due process of law.

Issue 3. Did Andrew R. Boyd act with malicious prosecution against plaintiff?

Supporting Facts and Argument. Yes, Mr. Boyd acted with malicious prosecution against plaintiff for lack of probable cause; conspired with his clients to act with perjury.

Issue 4. Did the defendants aid and abet after the fact such a conspiracy?

Supporting Facts and Argument. Yes, the defendants, all of them, aided and abetted, after the fact, such a conspiracy when plaintiff's was fined $1100 on perjured and false information and subjected to jail time until the fraud was paid without due process; in violation of the Fourteenth Amendment to the Constitution of the United States.

Issue 5. Did the defendants breach the written contract agreement on or about November 19, 2002?

Supporting Facts and Argument. Yes, defendants breached such contract agreement when defendants gave plaintiff, under duress, inoperative vehicle which put him down within 24 hours after allegedly signing of such agreement.

Issue 6. Did defendants deny plaintiff his automobile without due process of law?

Supporting Facts and Argument. Yes, the defendants denied plaintiff his car without due process of law when he subjected

plaintiff to an inoperative vehicle.

Relief Requested: Plaintiff requests compensatory and punitive damages in the sum of $150,000,00.00.

CERTIFICATE OF SERVICE

I certify that on March 13, 2006 I mailed a complete copy of this Informal Brief and all attachments to all parties addressed as shown below.

/s/ Arthur O. Armstrong
Arthur O. Armstrong

Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

ARTHUR O. ARMSTRONG	) No.
	)
vs.	) APPELLANT'S MOTION
	) FOR RELIEF WITH
BRYAN HAGGANS, et al	) SUPPORTING AFFIDAVIT
	) AND DOCUMENTATION
	) (BRIEF ¶II)

COMES NOW, the Appellant, Arthur O. Armstrong, named in this action and moves this Honorable Court, with supporting affidavit and documentation, for relief, pursuant to Rule 27 (a)(2) of the Federal Rules of Appellate Procedure, for reasons more fully set forth in the Appellant's Brief.

IN SUPPORT HEREOF, Appellant shows unto the Court that:

I. On or about February 22,, 2005, district Court dismissed Appellant's complaint for failure to state a claim. Appellant's amended complaint cures all defects.

NOW THEREFORE, the Appellant files his Brief.

II. On or about April 30, 2003, in Wilson County, NC, the Appellees acted in a conspiracy against the Appellant (affidavit, p. 1, ¶6) In the furtherance of such a conspiracy, the Appellees failed to conform to the requirements of the Federal Constitution and United States statutes (id., ¶7). The Appellees aided and abetted after the fact such a conspiracy (id., ¶12). As a direct and proximate result of the Appellees' action, the Appellant suffered continuing injury, including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation.

I pray for judgment in the sum of $100,000,00. ¶14).

SUMMARY:

Because of the foregoing, the Appellant respectfully requests that motion for relief, in accordance to Rule 27 (a) (2) of the Federal Rules of Appellate Procedure, be granted.

Respectfully submitted this the 11th day of May, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

OF COUNSEL:

ARTHUR O. ARMSTRONG
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under United States laws that the foregoing and within statements are true and correct (28 U.S.C. §1746.)

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant
252-236-7912

May 12, 2006

U.S. REGULAR MAIL:
Fred L. Borch, III, Clerk
United States District Court
U.S. Courthouse
P. O. Box 25670
Raleigh, NC 27611

Harold Franklin Askins, Esq.
North Carolina Department of Justice
9001 Mail Service Center
Raleigh, NC 27699

May 11, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DISTRICT

ARTHUR O. ARMSTRONG	) 5:05-00086-BR
	)
vs.	) PLAINTIFF'S MOTION
	) FOR LEAVE TO FILE
BRYAN HAGGANS, et al	) MOTION FOR RECON-
	) SIDERATION-BRIEF ¶II

COMES NOW, the plaintiff, Arthur O. Armstrong named in this action and moves this Honorable Court, for leave to file motion for reconsideration, for reasons more fully set forth in the party's brief.

IN SUPPORT HEREOF, the plaintiff shows unto the court that:

I. On or about February 23, 2005, plaintiff's complaint was dismissed for failure to state a claim. Plaintiff's amended complaint cures all defects.

NOW THEREFORE, plaintiff files this brief:

II. The defendants acted in a conspiracy (affidavit, p. 2, ¶7). In the furtherance of such a conspiracy the defendants, failed to conform to the requirements of the Federal Constitution and the United States statutes (affidavit, p. 1, ¶8). The defendants aided and abetted after the fact such a conspiracy (id., ¶13) As a direct and proximate result of defendants' action, plaintiff suffered continuing injuries including but not limited to: mental distress, psychic injury in the sum of $100,000,000 (id., ¶14).

SUMMARY:

Because of the foregoing, plaintiff respectfully requests that motion for leave to file motion for reconsideration, in accordance to the Federal Rules of

Civil Procedure, be granted.

Respectfully submitted this the 26th day of April, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under U. S. laws that the within and foregoing statements are true and correct (28 U.S.C. §1746.)

May 30, 2006. /s/ Arthur O. Armstrong
Arthur O. Armstrong

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion for leave to file motion for reconsideration by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Fred L. Borch, III, Clerk
United States District Court
U.S. Courthouse
P. O. Box 25670
Raleigh, NC 27611

Harold Franklin Askins, Esq.
North Carolina Department of Justice
9001 Mail Service Center
Raleigh, NC 27699

May 11, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

ARTHUR O. ARMSTRONG, PLAINTIFF,	05-CV-00086-BR
vs.	**AMENDED COMPLAINT**
MICHAEL F. EASLEY, ANDREW R. BOYD, CITY OF WILSON, ELM CITY, QUALITY AUTO REAIR, DEBBIE HAGGANS, BRYAN HAGGANS, DEFENDANTS.	Civil Rights Violation 42 U.S.C. §§1983, 1985,1986

Plaintiff alleges and says:

1. Plaintiff resides in the City of Elm City, County of Wilson, North Carolina.

2. Defendant Mike Easley is the chief executive state officer of North Carolina.

3. Defendant Andrew Boyd is an attorney licensed by the State of North Carolina for the purpose of practicing law with office located in the City of Wilson. North Carolina.

4. Defendants City of Wilson and Elm City are municipalities existing and operating under the laws of the State of North Carolina.

5. Defendants Bryan and Debbie Haggans are owners and operators of the Quality Auto Repair Shop at 107 S. Broad Street, Elm City, NC. On November 19, 2002, the defendants wrecked plaintiff's car and subsequently retained Andrew R. Boyd, the defendant, to protect their interest.

6. That the conduct complained

of was engaged in under color of state law and that such conduct subjected the plaintiff of the deprivation of rights, privileges and amenities secured by the federal constitution and the U. S. laws while engaged in the conduct complained of .

7. The defendants acted in a conspiracy against the plaintiff.

8. In the furtherance of such a conspiracy, the defendants acted with reckless indifference and wanton disregards for the truth or falsity and the rights of plaintiff and others when the defendants failed to conform to the requirements of the federal constitution and the United States statutes when the defendants acted with including but not limited to: arbitrariness, capriciousness, conspiracy, fraud, trickery, malice, gross negligence, RICO, deception, racial discrimination, misrepresentation, malicious prosecution, perjury, making of false reports, active connivance, procudural due process violation, oppression, false arrest and extortion against the plaintiff when defendant, in the furtherance of such a conspiracy, on or about April 30, 2003, without probable cause, conspired with his clients to go on the premise of the defendant to file a counterclaim against the plaintiff for the purpose of depriving either directly or indirectly plaintiff of equal protection of the laws; or of equal privileges and immunities under the laws; or for the purpose of hindering or preventing the constituted authorities from giving or securing to plaintiff the equal protection of the laws when

defendant Boyd acted as an instrumentality for a fraud to defraud money from the plaintiff when the defendants, under penalty of perjury, submitted false and fraudulent affidavit purporting answer and counterclaim to plaintiff's complaint to the court for the purpose of defrauding money from the plaintiff directly or indirectly in violation the Equal Protection Clause.

9. Defendant Andrew R. Boyd, acted with malicious prosecution when he failed to discover or discovered that his clients maintained no viable claim against the plaintiff, but acted reckless indifference and wanton disregards for the truth or falsity and the rights of plaintiff and others and filed fraudulent answer and counterclaim in Superior Court under penalty of perjury that plaintiff, including but not limited to: breached the contract and owes money for storage fees.

10. On or about June 23, 2003, the plaintiff expressly denied every thing; the court acted with active connivance in making the **False reports** and ordered plaintiff, without a scintilla piece of evidence, to pay defendant $1100 in violation of the Equal Protection Clause.

11. On or about April 2, 2004, defendant's invocation of state police and judicial action, the Sheriff's Department served a warrant on plaintiff and arrested him on perjured and false reports that Mr. Armstrong failed to pay defendants $1100 due process money for a purported breach of contract and storage fees, in violation of the Fourteenth

Amendment to the Constitution of the United States.

12. The defendants had knowledge of the wrongs conspired to be done and had the power to prevent or aid in preventing the commission of the same but neglected and refused so to do.

13. The defendants aided and abetted after the fact such a conspiracy.

14. As a direct and proximate result of the defendants' action, plaintiff suffered continuing injuries, including but not limited to mental distress, mental anguish, injury to his reputation, psychic injury and humiliation, I pray for judgment in the sum of $100,000,000.00.

WHEREFORE, plaintiff prays for judgment from the defendants in the sum of $100,000,000.00 as follows:

Respectfully submitted this the 25th day of February 2005.

Respectfully submitted,

/s/ Arthur O, Armstrong,

Arthur O. Armstrong, Plaintiff
252-236-7912

DEMAND A JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleadings in this case.

/s/Arthur O. Armstrong, Plaintiff

SUPREME COURT OF THE UNITED STATES

Washington, D.C.

No. 06-1195 Armstrong v Moore

DISCLOSURE OF CORPORATE AFFILIATION AND OTHER ENTITIES WITH A DIRECT FINANCIAL INTEREST IN LITIGATION

Rule 29.6

Arthur O. Armstrong who is Appellant makes the following disclosure:

1. Is party/amicus a publicly held corporate or other publicly held entity?
( ) YES (X) NO

2. Does party/amicus have any parent corporation?
( ) YES (X) NO

3. Is 10 percent or more of the stock of a party/amicus owned by a publicly held corporation or other publicly held entity?
( ) YES (X) NO

4. Is there any other publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of the litigation?
( ) YES (X) NO

5. Is the party a trade association?
( ) YES (X) NO

/s/ Arthur O. Armstrong (signature) June 1, 2006 (date)

INFORMAL BRIEF

1. Jurisdiction

A What is the name of the court from which you are appealing?

United States District Court for the Eastern District of North Carolina

B. What is the date(s) of the order you are appealing?

January 18, 2006

2.

3. Issues on Appeal

Issue 1. Did Thomasine Moore, and Millicent Graves conspire with their clients to breach the executor's fiduciary responsibility to effectuate the Armstrong's Will which will benefit the plaintiff the youngest member of the family?

Supporting Facts and Argument. Yes, Ms. Moore and Ms. Graves conspired with their clients against plaintiff under §§1985 and 1986 - in brief: §1985 prohibits conspiracies to interfere with civil rights §1986 proscribes knowing neglect to prevent (or aid or abet after the fact) such a conspiracy to prevent plaintiff's accessibility and possession of the ½ acres homeplace - dubbed as "Minnie Ruth Armstrong."

Issue 2. Did Nina A. Knight breach her fiduciary duty in effectuating the will as required by the will?

Supporting Facts and Argument. Yes, and in doing so, installed her nephew therein to prevent plaintiff's accessibility when she vandalized plaintiff's '65 GTO Pontiac Classic while thereat.

Issue 3. Did Thomas Moore and Millicent Graves act with malicious prosecution against plaintiff?

Supporting Facts and Argument. Yes, Attorneys Moore and Graves acted with malicious prosecution against plaintiff for lack of probable cause and in waiving plaintiff's rights to a due process hearing while acting as the instrumentality for a fraud and conspiracy.

Issue 4. Did the defendants aid and abet after the fact such a conspiracy?

Supporting Facts and Argument. Yes, the defendants, all of them, aided and abetted, after the fact, such a conspiracy when plaintiff's motion was suppressed, on false information that plaintiff seeks property not entitled to him in the will in violation of the Equal Protection Clause.

Issue 5. Did the defendants act with fraud against plaintiff?

Supporting Facts and Argument. Yes, defendant, Millicent, an instrumentality for a fraud, had in her possession, as a defense, a bogus document baring Nina A. Knight's name; court's document is different.

Relief Requested: Plaintiff requests compensatory and punitive damages in the sum of $100,000,00.00.

CERTIFICATE OF SERVICE

I certify that on March 13, 2006 I mailed a complete copy of this Informal Brief and all attachments to all parties addressed as shown below.

/s/ Arthur O. Armstrong
Arthur O. Armstrong

Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

ARTHUR O. ARMSTRONG	)	No.
	)	
vs.	)	APPELLANT'S MOTION
	)	FOR RELIEF WITH
THOMASINE E. MOORE,	)	SUPPORTING AFFIDAVIT
et al	)	AND DOCUMENTATION
	)	(BRIEF ¶II)

COMES NOW, the Appellant, Arthur O. Armstrong, named in this action and moves this Honorable Court, with supporting affidavit and documentation, for relief, pursuant to Rule 27 (a)(2) of the Federal Rules of Appellate Procedure, for reasons more fully set forth in the Appellant's Brief.

IN SUPPORT HEREOF, Appellant shows unto the Court that:

I. On February 22, 2005 distrist Court dismissed Appellant's complaint for failure to state a claim. Appellant's amended complaint cures all defects.

NOW THEREFORE, the Appellant files his Brief.

II. The Appellees acted in a conspiracy against the Appellant (affidavit, p. 2, ¶12). In the furtherance of such a conspiracy, the appellees, failed to conform to the requirements of the Federal Constitution and United States statutes (id., ¶13). The Appellees aided and abetted after the fact such a conspiracy (id., ¶17). As a direct and proximate result of the Appellees' action, the Appellant suffered continuing injury, including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of $10,000,000 (id., ¶20).

SUMMARY

Because of the foregoing, the Appellant respectfully requests that motion for relief, in accordance to Rule 27 (a) (2) of the Federal Rules of Appellate Procedure, be granted.

Respectfully submitted this the 11th day of May, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

OF COUNSEL:

ARTHUR O. ARMSTRONG
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under United States laws that the foregoing and within statements are true and correct (28 U.S.C. §1746.)

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant
252-236-7912

May 12, 2006

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Fred L. Borch, III, Clerk
United States District Court
U.S. Courthouse
P. O. Box 25670
Raleigh, NC 27611

Harold Franklin Askins, Esq.
North Carolina Department of Justice
9001 Mail Service Center
Raleigh, NC 27699

May 11, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DISTRICT

ARTHUR O. ARMSTRONG	5:05-CV-00089-BR
vs.	PLAINTIFF'S MOTION FOR LEAVE TO FILE
THOMASINE E. MOORE, et al	MOTION FOR RECONSIDERATION-BRIEF ¶II

COMES NOW, the plaintiff, Arthur O. Armstrong named in this action and moves this Honorable Court, for leave to file motion for reconsideration, for reasons more fully set forth in the party's brief.

IN SUPPORT HEREOF, the plaintiff shows unto the court that:

I. On or about February 22, 2005, plaintiff's complaint was dismissed for failure to state a claim. Plaintiff's amended complaint cures all defects.

NOW THEREFORE, plaintiff files this brief:

II. In Wilson County, North Carolina, the defendants acted in a conspiracy (affidavit, p. 2, ¶12). In the furtherance of such a conspiracy and March 14, 2006, the defendants failed to conform to the requirements of the Federal Constitution and the United States statutes (id., ¶1). The defendants aided and abetted after the fact such a conspiracy (id., ¶17) As a direct and proximate result of defendants' action, plaintiff suffered continuing injuries including but not limited to: mental distress, psychic injury in the sum of $10,000,000 (id., ¶20).

SUMMARY:

Because of the foregoing, plaintiff respectfully requests that motion for leave to file motion for reconsideration,

in accordance to the Federal Rules of Civil Procedure, be granted.

Respectfully submitted this the 26th day of April, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under U. S. laws that the within and foregoing statements are true and correct (28 U.S.C. §1746.)

May 30, 2006. /s/ Arthur O. Armstrong
Arthur O. Armstrong

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

This 11th day of May, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

WESTERN DIVISION

5:05-CV-00089-BR

ARTHUR O. ARMSTRONG, PLAINTIFF,	)	**AMENDED COMPLAINT**
vs.	)	42 U.S.C.§§1983, 1985, 1986
MICHAEL F. EASLEY, THONASINE E. MOORE, MILLICENT G. GRAVES, ARMSTRONG ESTATE, NINA A. KNIGHT, MARJORIE A. EVANS, DEFENDANTS.	)	

Plaintiff alleges and says:

1. Plaintiff resides in the City of Elm City, County of Wilson, N C.

2. Defendant Michael F. Easley is the North Carolina Chief Executive officer.

3. Defendant Thomasine E. Moore, retained by the defendants, is an attorney licensed by the State of North Carolina for the purpose of practicing law with office located in Onslow County, North Carolina, Jacksonville.

4. Defendant Millicant G. Graves is an attorney, retained by defendants, licensed by the State of North Carolina, with office located at 2500 W. Nash Street, Wilson, North Carolina for the purpose of practicing law.

5. Defendant Nina A. Knight, Executor of the Armstrong's Estate, resides in the City of Elm City, County of Wilson, NC.

6. Defendant Marjorie A. Evans resides in the City of Jacksonville, NC.

7. That the Armstrong's Estate belongs, in part or in whole, to the youngest member of the family, Arthur O. Armstrong at **"MINNIE RUTH ARMSTRONG** [sic]". There is no Minnie Ruth Armstrong.

8. That everybody seems to be satisfied except the plaintiff with the watch dog therein to prevent plaintiff's accessibility.

9. That the defendants retained attorneys Millicent Graves and Thomasine Moore to circumvent the effectuation of the will or otherwise to breach the fiduciary duty of effectuating the will on or about November, 2003 in Wilson County, NC.

10. On or about May 13, 1999, defendants vandalized plaintiff's car while introducing himself as having rights to accessibility to the home place.

11. On or about June 1, 2001, plaintiff certified a letter to the administrator, Nina A. Knight, encouraging her to act with fiduciary responsibility in effectuating the will. Defendant signed the letter but failed to act or respond thereto.

12. That the defendants acted in a conspiracy against the plaintiff.

13. In the furtherance of such a conspiracy, on or about but not limited to August 3, 2004, in Wilson County, North Carolina, the defendants acted with reckless indifference and wanton disregard for the truth or falsity and the rights of the plaintiff and others when the defendants acted with including but not limited to: arbitrariness, capriciousness,

fraud, malice, defamation, deception, breach of contract, trickery, misrepresentation, falsity, destruction, vandalism, malicious prosecution and intimidation against the plaintiff and prevented the plaintiff, not only possession, but total accessibility of his property in violation of the will in the continuation of the refusal and neglecting to effectuate the will in favor of plaintiff.

14. That effectuating the will will benefit the plaintiff.

15. That the conduct complained of was engaged in under color of state law and that such conduct subjected the plaintiff of the deprivation of rights, privileges and amenities secured by the federal constitution and the United States laws wile engaged in the conduct complained of.

16. That each defendant had knowledge of the wrongs conspired to be done and had the power to prevent or aid in preventing the commission of same but refused or neglected so to do.

17. The defendants aided and abetted after the fact such a conspiracy.

18. That plaintiff was deprived of having and exercising any right or privilege of a citizen of the United States.

19. That the Will has never been effectuated in any way.

20. As a direct and proximate result of the defendant's action, plaintiff suffered continuing injury including but not limited to: mental distress, mental anguish, psychic injury, humiliation and injury to his reputation. Plaintiff prays

for judgment in the sum in of $10,000,000 and possession.

WHEREFORE, plaintiff prays for judgment of $10,000,000 and possession as follows:

1. Compensatory and punitive damages of $10,000,000 under the Civil Rights Act - 42 U.S.C. §§1983, 1985, 1986.
2. Intangible harm
3. Immediate possession and accessibility of the 8468 property.
4. Costs and Expenses of this action and such other and further relief as the court deems just and proper.

Respectfully submitted this the 5th day of January, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleadings in this action.

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

SUPREME COURT OF THE UNITED STATES

Washington, D.C.

No. 06-1196 Armstrong v Knightdale, City of

DISCLOSURE OF CORPORATE AFFILIATION AND OTHER ENTITIES WITH A DIRECT FINANCIAL INTEREST IN LITIGATION

Rule 29.6

Arthur O. Armstrong who is Appellant makes the following disclosure:

1. Is party/amicus a publicly held corporate or other publicly held entity?
( ) YES (X) NO

2. Does party/amicus have any parent corporation?
( ) YES (X) NO

3. Is 10 percent or more of the stock of a party/amicus owned by a publicly held corporation or other publicly held entity?
( ) YES (X) NO

4. Is there any other publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of the litigation?
( ) YES (X) NO

5. Is the party a trade association?
( ) YES (X) NO

/s/ Arthur O. Armstrong (signature) June 1, 2006 (date)

saw3E
06-1196

INFORMAL BRIEF

1. **Jurisdiction**

A What is the name of the court from which you are appealing?

United States District Court for the Eastern District of North Carolina

B. What is the date(s) of the order you are appealing?

January 18, 2006

2.

3. **Issues on Appeal**

Issue 1. Did the Chief of Police Officers, including the Wendell police officers, act in a conspiracy against plaintiff?

Supporting Facts and Argument. Yes, they acted in a conspiracy against plaintiff under §§1985 and 1986 - in brief: §1985 prohibits conspiracies to interfere with civil rights §1986 proscribes knowing neglect to prevent (or aid or abet after the fact) such a conspiracy.

Issue 2. Did Chief of Police including Wendell Chief of Police, if any, violate plaintiff's Fourth Amendment Rights?

Supporting Facts and Argument. Yes, deprived plaintiff of his constitutional rights to be secured against unreasonable searches and seizures and violating warrants issued without probable cause or without warrants when they stopped

and detained plaintiff; made an entry without a warrant, invaded his privacy, seized his property in violation of the Fourth Amendment.

Issue 3. Did Colon Willoughby act with malicious prosecution against plaintiff?

Supporting Facts and Argument. Yes, Mr. Willoughby acted with malicious prosecution against plaintiff for lack of probable cause.

Issue 4. Did the defendants aid and abet after the fact such a conspiracy?

Supporting Facts and Argument. Yes, the defendants, all of them, aided and abetted, after the fact, such a conspiracy when plaintiff's unopposed motions to suppress, motion for continuance, motion for legal assistance and motion to dismiss were denied and he was subjected to a jury trial to arbitrarily determine the fact without due process of law and on false report that plaintiff's maintained a prior conviction and sentenced plaintiff to seven (7) days active jail time in violation of the Equal Protection Clause.

Issue 5. Did the defendants act with defamation against plaintiff?

Supporting Facts and Argument. Yes, defendants stated falsely that plaintiff operated vehicle unlawfully and willfully at 68/50 mph, DWI, failed to appear and driving with revoked driver's license. As a result of the defamation, Department of Transportation suspended plaintiff's

driver's license indefinitely without due process of law.

Relief Requested: Plaintiff requests compensatory and punitive damages in the sum of $150,000,00.00.

CERTIFICATE OF SERVICE

I certify that on March 13, 2006 I mailed a complete copy of this Informal Brief and all attachments to all parties addressed as shown below.

/s/ Arthur O. Armstrong
Arthur O. Armstrong

Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

Stacey Treva Carter, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
P. O. Box 629
Raleigh, NC 27602

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

ARTHUR O. ARMSTRONG	) No.
	)
vs.	) APPELLANT'S MOTION
	) FOR RELIEF WITH
CITY OF KNIGHTDALE,	) SUPPORTING AFFIDAVIT
et al	) AND DOCUMENTATION
	) (BRIEF ¶II)

COMES NOW, the Appellant, Arthur O. Armstrong, named in this action and moves this Honorable Court, with supporting affidavit and documentation, for relief, pursuant to Rule 27 (a)(2) of the Federal Rules of Appellate Procedure, for reasons more fully set forth in the Appellant's Brief.

IN SUPPORT HEREOF, Appellant shows unto the Court that:

I. On October 17, 2005 distrist Court dismissed Appellant's complaint for failure to make payment. Appellant's amended complaint cures all defects.

NOW THEREFORE, the Appellant files his Brief.

II. The Appellees acted in a conspiracy against the Appellant. In the furtherance of such a conspiracy, the appellee, on or about July 28, August 21, September 16, 17, 2005; February 17, and March 14, 2006, in Wake County, NC, failed to conform to the requirements of the Federal Constitution and United States statutes (affidavit, p. 1, ¶12). The Appellees aided and abetted after the fact such a conspiracy (id., ¶13). As a direct and proximate result of the Appellees' action, the Appellant suffered continuing injury, including but not limited to: mental distress, mental

anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of $150,000,000 (id., ¶14).

SUMMARY:

Because of the foregoing, the Appellant respectfully requests that motion for relief, in accordance to Rule 27 (a) (2) of the Federal Rules of Appellate Procedure, be granted.

Respectfully submitted this the 11th day of May, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

OF COUNSEL:

ARTHUR O. ARMSTRONG
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under United States laws that the foregoing and within statements are true and correct (28 U.S.C. §1746.)

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant
252-236-7912

May 12, 2006

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Fred L. Borch, III, Clerk
United States District Court
U.S. Courthouse
P. O. Box 25670
Raleigh, NC 27611

Harold Franklin Askins, Esq.
North Carolina Department of Justice
9001 Mail Service Center
Raleigh, NC 27699

May 11, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DISTRICT

ARTHUR O. ARMSTRONG	)	5:05-565-BR
	)	
vs.	)	PLAINTIFF'S MOTION
	)	FOR LEAVE TO FILE
CITY OF KNIGHTDALE,	)	MOTION FOR RECON-
et al	)	SIDERATION-BRIEF ¶II

COMES NOW, the plaintiff, Arthur O. Armstrong named in this action and moves this Honorable Court, for leave to file motion for reconsideration, for reasons more fully set forth in the party's brief.

IN SUPPORT HEREOF, the plaintiff shows unto the court that:

I. On or about November 22, 2005, plaintiff's complaint was denied for failure to make payment. Plaintiff's amended complaint cures all defects.

NOW THEREFORE, plaintiff files this brief:

II. In Wake County, North Carolina, the defendants police officers acted in a conspiracy. In the furtherance of such a conspiracy the defendants, on or about July 28, August 21, September 16, 17, 2005; February 17, and March 14, 2006, failed to conform to the requirements of the Federal Constitution and the United States statutes (affidavit, p. 1, ¶14). The defendants aided and abetted after the fact such a conspiracy (id., ¶16) As a direct and proximate result of defendants' action, plaintiff suffered continuing injuries including but not limited to: mental distress, psychic injury in the sum of $150,000,000 (id., ¶18).

SUMMARY:

Because of the foregoing, Plaintiff respectfully requests that motion for leave to file motion for reconsideration, in accordance to the Federal Rules of Civil Procedure, be granted.

Respectfully submitted this the 26th day of April, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under U. S. laws that the within and foregoing statements are true and correct (28 U.S.C. §1746)

May 30, 2006. /s/ Arthur O. Armstrong
Arthur O. Armstrong

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion for leave to file motion for relief by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

This 11th day of May, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

ARTHUR O. ARMSTRONG, PLAINTIFF,	5:05-CV-00565-BR
vs.	CIVIL RIGHTS VIOLATION
MICHAEL F. EASLEY, LYNDO TIPPETT, NC DIVISION OF MOTOR VEHICLES, CHARLES MEEKER, JUDGE FULLWOOD A. LEON STANBACK, CITY OF RALEIGH, CITY OF KNIGHTDALE, KNIGHTDALE - RALEIGH POLICE DEPARTMENT, JAMES POLLOCK, SKIP BLAYLOCK, COLON WILLOUGHBY D. JOHNSON, JIMMY WILSON, A. T. JOHNSTON, #1320 D. R. SIMMONS, #1322, OFFICER DALE, DEFENDANTS.	42 U.S.C. §§1983, 1985,1986 **AMENDED COMPLAINT**

Plaintiff alleges and says:

1. Plaintiff resides in the City of Elm City, County of Wilson, North Carolina.

2. Defendant Michael F. Easley is the Chief Executive State Officer of North Carolina.

3. Defendant Lyndo Tippett is secretary of Department of Transportation.

4. Defendant Division of Motor Vehicles operates under the Department of Transportation and superintends the

operation of driver's license.

5. Defendant Fullwood, judge residing, is the district court judge.

6. Defendant A. Leon Stanback is the presiding Wake County Superior Court judge.

7. Defendant Colon Willoughby is the Wake County District Attorney.

8. Defendant D. Johnson is the assistant district attorney.

9. Defendant Jimmy Wilson is the assistant district attorney.

10. Defendant Charles Meeker is the Mayor of Raleigh, NC.

11. Defendant James Pollock is Raleigh's Chief of Police.

12. Defendant Skip Blaylock is Knightdale's Chief of Police.

13. Defendants A. T. Johnston, Officer Dale and D. R. Simmons are Raleigh - Knightdale Police officers.

14. That on July 28, August 21, September 16, 17, 2005 and subsequent in Wake County, NC, including February 17, and March 13, 2006, the Defendant, including but not limited to; Chief of police, acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others when the defendants failed to conform to the requirements of the Federal Constitution and the United States statutes when officers Johnston, Dale and Simmons conspired to go in disguise on the highway for the purpose of depriving either directly or indirectly Mr. Armstrong equal protection of the laws or of equal privileges and immunities under the laws, or for the purpose of preventing of hindering the constituted authorities

of any State or Territory from giving or securing to Mr. Armstrong the equal protection of the laws when the defendants acted with reckless indifference and wanton disregard for the truth or falsity and the rights of Plaintiff and others and acted with including but not limited to: fraud, malice, arbitrariness, RICO, racial profiling, capriciousness, defamation, trickery, falsity, deception, harassment, malicious prosecution, false arrest, assault, active connivance, making false reports, conspiracy, misrepresentation, oppression, and gross negligence against the Plaintiff, when the Defendant, without probable cause, stopped and detained plaintiff, made an entry without a warrant onto private areas or personal premise of Plaintiff and searched and seized his car and invaded his privacy and falsely stated that plaintiff was driving under the influence, which plaintiff expressly and adamantly denied, in violation of the Fourth Amendment to the Constitution of the United States.

15. Each person had knowledge of the wrongs conspired to be done and had the power to prevent or aid in preventing the commission of same but refused and neglected so to do.

16. The defendants aided and abetted after the fact such a conspiracy.

17. That the conduct complained of was engaged in under color of state law and that such conduct subjected the Plaintiff of the deprivation of rights, privileges and amenities secured by the Federal Constitution and the U. S. Statutes while engaged in the conduct complained of.

18. As a direct and proximate result of the Defendant's action, Plaintiff suffered continuing injuries, including but not limited to: mental distress, mental anguish, psychic injury, humiliation, and injury to his reputation. I pray for judgment in the sum of $150,000,000,00.

WHEREFORE, Plaintiff prays for judgment in his favor and against the Defendants as follows:

1. Compensatory and punitive damages in the sum of $100,000,000 under 42 U.S.C. §§1983,1985,1986-Civil Rights Act.
2. Intangible harm
3. Attorney fees under 42 U.S.C. §1988 - Attorney Award Act or as a component of punitive damages.
4. Costs and Expenses of this action and such other and further relief as the Court deems just and proper.

Respectfully submitted this the 18th day of February, 2006.

Respectfully Submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff
252-236-7912

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleadings in this action.

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

SUPREME COURT OF THE UNITED STATES

Washington, D.C.

No. 06-1197 Armstrong v Nashville, City of

DISCLOSURE OF CORPORATE AFFILIATION AND OTHER ENTITIES WITH A DIRECT FINANCIAL INTEREST IN LITIGATION

Rule 29.6

Arthur O. Armstrong who is Appellant makes the following disclosure:

1. Is party/amicus a publicly held corporate or other publicly held entity?
( ) YES (X) NO

2. Does party/amicus have any parent corporation?
( ) YES (X) NO

3. Is 10 percent or more of the stock of a party/amicus owned by a publicly held corporation or other publicly held entity?
( ) YES (X) NO

4. Is there any other publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of the litigation?
( ) YES (X) NO

5. Is the party a trade association?
( ) YES (X) NO

/s/ Arthur O. Armstrong (signature) June 1, 2006 (date)

saw3E
06-1197

INFORMAL BRIEF

1. Jurisdiction

A What is the name of the court from which you are appealing?

United States District Court for the Eastern District of North Carolina

B. What is the date(s) of the order you are appealing?

January 18, 2006

2.

3. Issues on Appeal

Issue 1. Did City Police Officers act in a conspiracy against the plaintiff when they, with probable cause, stopped and detained the plaintiff; seized his car; made an entry without a warrant made him walk home of otherwise pay dearly for transportation thereto in violation of the Fourth Amendment to the Constitution of the United States.

Supporting Facts and Argument. Yes, the Defendants acted in a conspiracy against plaintiff under §§1985 and 1986 - in brief: §1985 prohibits conspiracies to interfere with civil rights §1986 proscribes knowing neglect to prevent (or aid or abet after the fact) such a conspiracy.

Issue 2. Did officers violate plaintiff's Fourth Amendment Rights?

Supporting Facts and Argument. Yes, deprived plaintiff of his constitutional rights to be secured against unreasonable searches and seizures and violating warrants issued without probable cause or without warrants.

Issue 4. Did the defendants aid and abet after the fact such a conspiracy?

Supporting Facts and Argument. Yes, the defendants, all of them, aided and abetted, after the fact, such a conspiracy, on false reports that plaintiff operated his vehicle with revoked driver's license, when defendants conspired to go on the highway in disguise for the purpose of depriving either directly or indirectly plaintiff of equal protection of the laws or of equal privileges and immunities of the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to Mr. Armstrong the equal protection of the laws.

Relief Requested: Plaintiff requests compensatory and punitive damages in the sum of $100,000,00.00.

CERTIFICATE OF SERVICE

I certify that on March 13, 2006 I mailed a complete copy of this Informal Brief and all attachments to all parties addressed as shown below.

/s/ Arthur O. Armstrong
Arthur O. Armstrong

Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

ARTHUR O. ARMSTRONG	)	No.
	)	
vs.	)	APPELLANT'S MOTION
	)	FOR RELIEF WITH
CITY OF ROCKY MOUNT,	)	SUPPORTING AFFIDAVIT
et al	)	AND DOCUMENTATION
	)	(BRIEF ¶II)

COMES NOW, the Appellant, Arthur O. Armstrong, named in this action and moves this Honorable Court, with supporting affidavit and documentation, for relief, pursuant to Rule 27 (a)(2) of the Federal Rules of Appellate Procedure, for reasons more fully set forth in the Appellant's Brief.

IN SUPPORT HEREOF, Appellant shows unto the Court that:

I. On or about November 22, 2005, district Court dismissed Appellant's complaint for failure to make payment. Appellant's amended complaint cures all defects.

NOW THEREFORE, the Appellant files his Brief.

II. On or about November 16, 2005, in Nash County, NC, the Appellees acted in a conspiracy against the Appellant In the furtherance of such a conspiracy, the Appellees failed to conform to the requirements of the Federal Constitution and United States statutes (affidavit, p. 1, ¶6). The Appellees aided and abetted after the fact such a conspiracy (id., ¶9). As a direct and proximate result of the Appellees' action, the Appellant suffered continuing injury, including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of 35,000,000 (id.,

¶11).

SUMMARY:

Because of the foregoing, the Appellant respectfully requests that motion for relief, in accordance to Rule 27 (a) (2) of the Federal Rules of Appellate Procedure, be granted.

Respectfully submitted this the 11th day of May, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

OF COUNSEL:

ARTHUR O. ARMSTRONG
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under United States laws that the foregoing and within statements are true and correct (28 U.S.C. §1746.)

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant
252-236-7912

May 12, 2006

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Fred L. Borch, III, Clerk
United States District Court
U.S. Courthouse
P. O. Box 25670
Raleigh, NC 27611

Harold Franklin Askins, Esq.
North Carolina Department of Justice
9001 Mail Service Center
Raleigh, NC 27699

May 11, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DISTRICT

ARTHUR O. ARMSTRONG	) 5:05-778-BR
	)
vs.	) PLAINTIFF'S MOTION
	) FOR LEAVE TO FILE
CITY OF ROCKY MOUNT,	) MOTION FOR RECON-
et al	) SIDERATION-BRIEF ¶II

COMES NOW, the plaintiff, Arthur O. Armstrong named in this action and moves this Honorable Court, for leave to file motion for reconsideration, for reasons more fully set forth in the party's brief.

IN SUPPORT HEREOF, the plaintiff shows unto the court that:

I. On or about November 22, 2005, plaintiff's complaint was denied for failure to make payment. Plaintiff's amended complaint cures all defects.

NOW THEREFORE, plaintiff files this brief:

II. On November 16, 2005, in Nash County, North Carolina, the defendants police officers acted in a conspiracy. In the furtherance of such a conspiracy the defendants failed to conform to the requirements of the Federal Constitution and the United States statutes (affidavit, p. 1, ¶6). The defendants aided and abetted after the fact such a conspiracy (id., ¶9) As a direct and proximate result of defendants' action, plaintiff suffered continuing injuries including but not limited to: mental distress, psychic injury in the sum of $35,000,000 (id., ¶11).

SUMMARY:

Because of the foregoing, plaintiff respectfully requests that motion for leave to file motion for reconsideration,

in accordance to the Federal Rules of Civil Procedure, be granted.

Submitted this 26th day of April, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under U. S. laws that the within and foregoing statements are true and correct (28 U.S.C. §1746.)

May 30, 2006. /s/ Arthur O. Armstrong
Arthur O. Armstrong

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion for leave to file motion for relief by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

This 11th day of May, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

ARTHUR O. ARMSTRONG, PLAINTIFF,	5:05-CV-00778-BR
vs.	AMENDED COMPLAINT
MR. TURNATE, MAYOR, CITY OF NASHVILLE, ROCKY MOUNT-NASHVILLE POLICE DEPARTMENT, JOHN MANLEY, STEVE HILL, JOHN DOE #1, JOHN DOE #2, DEFENDANTS.	(42 U.S.C.§§1983 1985,1986) Civil Rights Violation

Plaintiff alleges and says:

1. Plaintiff resides in the City of Elm City, County of Wilson, North Carolina.

2. Defendant Turnate is Mayor of the City of Rocky Mount.

3. Defendant John Manley is Chief of Police for Rocky Mount-Nashville Police Department.

4. Defendant Steve Hill is police officer for the City of Nashville-Rocky Mount, N. C.

5. Defendant John Doe #1 is police officer for the City of Rocky Mount Nashville, N. C.

6. Defendant Jon Doe #2 is police officer for the City of Nashville-Rocky Mount, N C.

7. That on or about November 16, 2005 in Nash County, North Carolina the defendant, Chief of Police, John Manley, failed to conform to the requirements of the federal constitution and the statutes when the defendant acted with

reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others when the defendant conspired to go in disguise on the highway for the purpose of depriving either directly or indirectly the plaintiff of equal protection of the laws or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to plaintiff the equal protection of the laws when defendant Chief of Police, John Manley's officers, without probable cause, stopped and detained the plaintiff, made an entry without a warrant onto private areas of personal premise of plaintiff, kicked plaintiff out of his car; seized his automobile and invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States and falsely stated that plaintiff's license was revoked.

8. That the conduct complained of was engaged in under color of state law and that such conduct subjected the plaintiff of the deprivation of rights, Federal Constitution and the United States statutes while engaged in the conduct complained of.

9. As a direct and proximate result of the defendant's action, plaintiff suffered continuing injuries including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pry for judgment in the sum of $100,000,000.00.

WHEREFORE, plaintiff prays for judgment in his favor and against defendant in

the sum of $100,000,000.00 as follows:

1. Compensatory and punitive damages under 42 U.S.C. §1983 - Civil Rights Act in the sum of $100,000,000.

2. Intangible harm

3. Civil Rights Attorney's Award Act - 42 U.S.C. §1983 or as a component of punitive damages.

4. For costs and Expenses as part of the 42 U.S.C. §1983 - Civil Rights Act and such other and further relief as the court deems just and proper.

Respectfully submitted this the 16th day of December, 2005.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

DEMANDS A JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleadings in this action.

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

SUPREME COURT OF THE UNITED STATES

Washington, D.C.

No. 06-1270 Armstrong v Nichols

DISCLOSURE OF CORPORATE AFFILIATION AND OTHER ENTITIES WITH A DIRECT FINANCIAL INTEREST IN LITIGATION

Rule 29.6

Arthur O. Armstrong who is Appellant makes the following disclosure:

1. Is party/amicus a publicly held corporate or other publicly held entity?
( ) YES (X) NO

2. Does party/amicus have any parent corporation?
( ) YES (X) NO

3. Is 10 percent or more of the stock of a party/amicus owned by a publicly held corporation or other publicly held entity?
( ) YES (X) NO

4. Is there any other publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of the litigation?
( ) YES (X) NO

5. Is the party a trade association?
( ) YES (X) NO

/s/ Arthur O. Armstrong (signature) June 1, 2006 (date)

INFORMAL BRIEF

1. **Jurisdiction**

A. What is the name of the court from which you are appealing?

United States District Court for the Eastern District of North Carolina

B. What is the date(s) of the order you are appealing?

January 18, 2006

2.

3. **Issues on Appeal**

Issue 1. Did trooper Nichols on January 10, 2003 violate plaintiff's civil right?

Supporting Facts and Argument. Yes, the defendant, when he, without probable cause, stopped and detained plaintiff, made an entry without a warrant, onto private areas of personal premise of plaintiff, seized his driver's license, invaded his privacy was a violation of the Fourth Amendment to the Constitution of the United States.

Issue 2. Did the defendants act in a conspiracy against plaintiff on or about November 16, 2005?

Supporting Facts and Argument. Yes, the defendants acted in a conspiracy when the trial court and the prosecutor subjected plaintiff to a jury to determine the facts, arbitrarily, under 42 U.S.C §§1985 and 1986 - in brief: §1985 prohibits conspiracies to interfere with civil rights §1986 proscribes knowing neglect to prevent (or aid or abet after the fact) such a

conspiracy.

Issue 3. Did Howard Boney act with malicious prosecution against plaintiff?

Supporting Facts and Argument. Yes, Mr. Boney acted with malicious prosecution against plaintiff for lack of probable cause.

Issue 4. Did the defendants aid and abet after the fact such a conspiracy?

Supporting Facts and Argument. Yes, the defendants, all of them, aided and abetted, after the fact, such a conspiracy when plaintiff's unopposed motions were suppressed and denied, and the Honorable Sumner subjected plaintiff to a jury trial to arbitrarily determine the fact without due process of law and on false report that plaintiff operated his vehicle at 69/55 MPH of which plaintiff adamantly and expressly denied, in violation of the Equal Protection Clause.

Issue 5. Did the defendants act with defamation against plaintiff?

Supporting Facts and Argument. Yes, defendants stated falsely that plaintiff operated his vehicle unlawfully and willfully at 69/55 mph, and failed to appear. As a result of the defamation, Department of Transportation suspended plaintiff's driver's license indefinitely without due process of law.

Relief Requested: Plaintiff requests compensatory and punitive damages in the sum of $100,000,00.00.

CERTIFICATE OF SERVICE

I certify that on March 13, 2006 I mailed a complete copy of this Informal Brief and all attachments to all parties addressed as shown below.

/s/ Arthur O. Armstrong
Arthur O. Armstrong

Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

ARTHUR O. ARMSTRONG	)	No.
	)	
vs.	)	APPELLANT'S MOTION
	)	FOR RELIEF WITH
TROOPER NICHOLS,	)	SUPPORTING AFFIDAVIT
et al	)	AND DOCUMENTATION
	)	(BRIEF ¶II)

COMES NOW, the Appellant, Arthur O. Armstrong, named in this action and moves this Honorable Court, with supporting affidavit and documentation, for relief, pursuant to Rule 27 (a)(2) of the Federal Rules of Appellate Procedure, for reasons more fully set forth in the Appellant's Brief.

IN SUPPORT HEREOF, Appellant shows unto the Court that:

I. On or about November 13, 2003, district Court dismissed Appellant's complaint for failure to state a claim. Appellant's amended complaint cures all defects.

NOW THEREFORE, the Appellant files his Brief.

II. That on January 10, 2003, in Nash County, NC, the Appellee failed to conform to the requirements of the Federal Constitution and United States statutes (affidavit, p. 1, ¶8). As a direct and proximate result of the Appellee's action, the Appellant suffered continuing injury, including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of 100,000,000 (id., ¶10).

SUMMARY:

Because of the foregoing, the Appellant respectfully requests that motion for relief, in accordance to Rule 27 (a) (2) of the Federal Rules of Appellate Procedure, be granted.

Respectfully submitted this the 11th day of May, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

OF COUNSEL:

ARTHUR O. ARMSTRONG
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under United States laws that the foregoing and within statements are true and correct (28 U.S.C. §1746.)

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant
252-236-7912

May 12, 2006

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DISTRICT

ARTHUR O. ARMSTRONG	)	5:03-007-BR
	)	
vs.	)	PLAINTIFF'S MOTION
	)	FOR LEAVE TO FILE
TROOPER NICHOLS,	)	MOTION FOR RECON-
et al	)	SIDERATION-BRIEF ¶II

COMES NOW, the plaintiff, Arthur O. Armstrong named in this action and moves this Honorable Court, for leave to file motion for reconsideration, for reasons more fully set forth in the party's brief.

IN SUPPORT HEREOF, the plaintiff shows unto the court that:

I. On or about November 13, 2003, plaintiff's complaint was dismissed for failure to state a claim. Plaintiff's amended complaint cures all defects.

NOW THEREFORE, plaintiff files this brief:

II. On January 10, 2003, in Nash County, North Carolina, the defendant failed to conform to the requirements of the Federal Constitution and the United States statutes (affidavit, p. 1, ¶8). As a direct and proximate result of defendants' action, plaintiff suffered continuing injuries including but not limited to: mental distress, psychic injury in the sum of $100,000,000 (id., ¶10).

SUMMARY:

Because of the foregoing, plaintiff respectfully requests that motion for leave to file motion for reconsideration, in accordance to the Federal Rules of Civil Procedure, be granted.

Respectfully submitted this 26th day of April, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under U. S. laws that the within and foregoing statements are true and correct (28 U.S.C. §1746.)

May 30, 2006. /s/ Arthur O. Armstrong
Arthur O. Armstrong

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion for leave to file motion for relief by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

Stacy Treva Carter. Esq.
NORTH CAROLINA DEPARTMENT OF Justice
P. O. Box 629
Raleigh, NC 27602

This 11th day of May, 2006

/s/ Arthur O. Armstrong

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

ARTHUR O. ARMSTRONG, PLAINTIFF,	)	Civil No. 03-0007
vs.	)	CIVIL RIGHTS
	)	VIOLATION
MICHAEL F. EASLEY,	)	AMENDED COMPLAINT
QUENTIN SUMNER	)	
HOWARD S. BONEY	)	(42 U.S.C. §1983)
R. C. NICHOLS	)	
ATTORNEY WARNER,	)	
RACHEL M. JOYNER, DEFENDANTS.	)	

Plaintiff alleges and says:

1. Plaintiff resides in the City of Elm City, County of Wilson and State of North Carolina.

2. Defendant Michael F. Easley is the chief executive oficer of North Carolina.

3. Defendant Quentin Sumner is the the NaSH County trial court judge residing.

4. Defendant Howard S. Boney is the Nash County district attorney.

5. Defendant Prosecutor Warner retained by State for litigation of case.

6. Defendant R. C. Nichols is a North Carolina State Trooper.

7. Defendant Rachel Joyner is the clerk of court.

8. On or about January 10, 2003, in Nash County, NC, the defendant Trooper R.C. Nichols failed to conform to the requirements of the Federal Constitution and the United States statutes when the defendant acted with reckless indifference and wanton disregards for the truth or falsity and the rights of plaintiff and others when he acted with including but not limited to: malice, fraud, falsity, false reports ,arbitrariness, capriciousness, trickery, oppression, RICO,

in violation of the Fourth Amendment to the Constitution of the United States; falsely stated that plaintiff operated his vehicle at 69/55 which plaintiff adamantly and expressly denied.

9. That the conduct complained of was engaged in under color of state law and that such conduct subjected plaintiff of the deprivation of rights, privileges and amenities secured by the federal constitution and statutes while engaged in the conduct complained of.

10. As a direct and proximate result of the defendant's action, plaintiff suffered continuing injuries including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of $100,000,000.00.

WHEREFORE, plaintiff prays for judgment in the sum of $100,000.000 as follows:

1. Compensatory and punitive damages under 42 U.S.C §1983 - Civil Rights Act in the sum of $100,000,000.

2. Intangible harm

3. Civil Rights Attorney's Award Act - 42 U.S.C. §1988 or as a component of punitive damages.

4. For Costs and Expenses as part of the 42 U.S.C. §1983 - Civil Rights Act and such other and further relief as the court deems just and proper.

Respectfully submitted this 12th day of December, 2005.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleadings in this action.

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

SUPREME COURT OF THE UNITED STATES

Washington, D.C.

No. 06-1271 Armstrong v Clayton

DISCLOSURE OF CORPORATE AFFILIATION AND OTHER ENTITIES WITH A DIRECT FINANCIAL INTEREST IN LITIGATION

Rule 29.6

Arthur O. Armstrong who is Appellant makes the following disclosure:

1. Is party/amicus a publicly held corporate or other publicly held entity?
( ) YES (X) NO

2. Does party/amicus have any parent corporation?
( ) YES (X) NO

3. Is 10 percent or more of the stock of a party/amicus owned by a publicly held corporation or other publicly held entity?
( ) YES (X) NO

4. Is there any other publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of the litigation?
( ) YES (X) NO

5. Is the party a trade association?
( ) YES (X) NO

/s/ Arthur O. Armstrong (signature) June 1, 2006 (date)

INFORMAL BRIEF

1. Jurisdiction

A What is the name of the court from which you are appealing?

United States District Court for the Eastern District of North Carolina

B. What is the date(s) of the order you are appealing?

January 18, 2006

2. Issues on Appeal

Issue 1. Did the Sheriff of Wake County violate plaintiff's civil rights on December 19, 2003?

Supporting Facts and Argument. Yes, when deputies C. Clayton and John Doe conspired to go on the highway in disguise for the purpose of depriving either directly or indirectly Mr. Armstrong the equal protection of the laws; or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities from any State or Territory from giving or securing to Mr. Armstrong the equal protection of the laws.

Issue 2. Did Clayton and John Doe violate plaintiff's Fourth Amendment Rights on December 19, 2003?

Supporting Facts and Argument. Yes, deprived plaintiff of his constitutional

rights to be secured against unreasonable searches and seizures and violating warrants issued without probable cause or without warrants; stopped and detained plaintiff without probable cause.

Issue 3. Did Colon Willoughby act with malicious prosecution against plaintiff?

Supporting Facts and Argument. Yes, Mr. Willoughby acted with malicious prosecution against plaintiff for lack of probable cause on January 6, 2004, March 10, 2004, June 1, 2006.

Issue 4. Did the defendants aid and abet after the fact such a conspiracy?

Supporting Facts and Argument. Yes, the defendants aided and abetted, after the fact, such a conspiracy when the clerk of court falsely stated that plaintiff failed to appear.

Issue 5. Did the defendants act with defamation against plaintiff?

Supporting Facts and Argument. Yes, defendants stated falsely that plaintiff operated vehicle unlawfully and willfully at 71/55 mph and failed to appear; as a result of the defamation, Department of Transportation suspended plaintiff's driver's license.

Relief Requested: Plaintiff requests compensatory and punitive damages in the sum of $100,000,00.00.

CERTIFICATE OF SERVICE

I certify that on March 13, 2006 I mailed a complete copy of this Informal Brief and all attachmentsd to all parties addressed as shown below.

/s/ Arthur O. Armstrong
Arthur O. Armstrong

Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

Stacey Treva Carter, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
P. O. Box 629
Raleigh, NC 27602

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

ARTHUR O. ARMSTRONG	) No.
	)
vs.	) APPELLANT'S MOTION
	) FOR RELIEF WITH
J. CLAYTON, et al	) SUPPORTING AFFIDAVIT
	) AND DOCUMENTATION
	) (BRIEF ¶II)

COMES NOW, the Appellant, Arthur O. Armstrong, named in this action and moves this Honorable Court, with supporting affidavit and documentation, for relief, pursuant to Rule 27 (a)(2) of the Federal Rules of Appellate Procedure, for reasons more fully set forth in the Appellant's Brief.

IN SUPPORT HEREOF, Appellant shows unto the Court that:

I. On or about August 15, 2004, district Court dismissed Appellant's complaint for failure to state a claim. Appellant's amended complaint cures all defects.

NOW THEREFORE, the Appellant files his Brief.

II. That on December 19, 2003, in Wake County, NC, the Appellees acted in a conspiracy against the Appellant In the furtherance of such a conspiracy, the Appellees failed to conform to the requirements of the Federal Constitution and United States statutes (affidavit, p. 1, ¶6). The Appellees aided and abetted after the fact such a conspiracy (id., ¶9). As a direct and proximate result of the Appellees' action, the Appellant suffered continuing injury, including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of 100,000,000 (id.,

¶10).

SUMMARY:

Because of the foregoing, the Appellant respectfully requests that motion for relief, in accordance to Rule 27 (a) (2) of the Federal Rules of Appellate Procedure, be granted.

Respectfully submitted this the 11th day of May, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

OF COUNSEL:

ARTHUR O. ARMSTRONG
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under United States laws that the foregoing and within statements are true and correct (28 U.S.C. §1746.)

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant
252-236-7912

May 12, 2006

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure

delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Fred L. Borch, III, Clerk
United States District Court
U.S. Courthouse
P. O. Box 25670
Raleigh, NC 27611

Harold Franklin Askins, Esq.
North Carolina Department of Justice
9001 Mail Service Center
Raleigh, NC 27699

May 11, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DISTRICT

ARTHUR O. ARMSTRONG	)	5:04-316-BR
	)	
vs.	)	PLAINTIFF'S MOTION
	)	FOR LEAVE TO FILE
J. CLAYTON, et al	)	MOTION FOR RECON-
	)	SIDERATION-BRIEF ¶II

COMES NOW, the plaintiff, Arthur O. Armstrong named in this action and moves this Honorable Court, for leave to file motion for reconsideration, for reasons more fully set forth in the party's brief.

IN SUPPORT HEREOF, the plaintiff shows unto the court that:

I. On or about August 15, 2004, plaintiff's complaint was dismissed for failure to state a claim. Plaintiff's amended complaint cures all defects.

NOW THEREFORE, plaintiff files this brief:

II. On December 19, 2003, in Wake County, North Carolina, the defendants Clayton and John Doe acted in a conspiracy. In the furtherance of such a conspiracy the defendants failed to conform to the requirements of the Federal Constitution and the United States statutes (affidavit, p. 1, ¶6). The defendants aided and abetted after the fact such a conspiracy (id., ¶9) As a direct and proximate result of defendants' action, plaintiff suffered continuing injuries including but not limited to: mental distress, psychic injury in the sum of $100,000,000 (id., ¶10).

SUMMARY:

Because of the foregoing, plaintiff respectfully requests that motion for

leave to file motion for reconsideration, in accordance to the Federal Rules of Civil Procedure, be granted.

Respectfully submitted this the 26th day of April, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under U. S. laws that the within and foregoing statements are true and correct (28 U.S.C. §1746.)

May 30, 2006. /s/ Arthur O. Armstrong

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion for leave to file motion for relief by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

This 11th day of May, 2006

/s/ Arthur O. Armstrong

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DISTRICT

ARTHUR O. ARMSTRONG, PLAINTIFF,	) 04-CV-00316-BR(3)
vs.	) CIVIL RIGHTS VIOLATION (42 U.S.C. §§1983
MICHAEL EASLEY, SHERIFF'S DEPARTMENT, J. CLAYTON, #926 JOHN DOE, COLON WILLOUGHBY, DEFENDANTS.	) 1985,1986) AMENDED COMPLAINT

Plaintiff alleges and says:

1. Plaintiff resides in the City of Elm City, County of Wilson and the State of North Carolina.

2. Defendant Easley is the Chief Executive Officer of North Carolina.

3. Defendant J. Clayton is a North Carolina deputy sheriff assigned to the judicial District of Wake County.

4. Defendant John Doe is a deputy sheriff for the State of North Carolina.

5. Defendant Colon Willoughby is the district attorney of Wake County.

6. On 12-19-03 in Wake Co., the defendants acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others when defendants Clayton and John Doe acted with including but not limited to: malice, fraud, capriciousness, arbitrariness, gross negligence, RICO, conspiracy, trickery and deception when the defendants failed to conform to the requirements of the Federal Constitution when the defendants conspired to go on the highway for the purpose of depriving either directly or indirectly Mr. Armstrong

of equal protection of the laws or of equal privileges or immunities under the laws or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to Mr. Armstrong equal protection of the laws when the defendants, without probable cause, stopped and detained the plaintiff, made any entry without a warrant onto private areas of personal premise of plaintiff; seized his property, invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States.

7. That the conduct complained of was engaged in under color of state law and that such conduct subjected the plaintiff of the deprivation of rights, privileges and amenities secured by the federal constitution and the U. S. Statutes while engaged in the conduct complained of.

8. That the defendants had knowledge of the wrongs conspired to be done and had the power to prevent or aid in preventing the commission of same but refused and neglected so to do.

9. The defendants aided and abetted after the fact such a conspiracy.

10. As a direct and proximate result of the defendant's action, the plaintiff suffered continuing injuries, including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of $100,000,000.

WHEREFORE, plaintiff prays for judgment from the defendant in the sum of $100 million as follows:

1. Compensatory and punitive damages

in the sum of $100,000,000 under 42 U.S.C. §1983 - Civil Rights Act.

2. Intangible harm

3. Attorney's fees under the Attorney Awards Act - 42 U.S.C. §1988 or as a component of punitive damages.

4. Costs and Expenses of this action and such other and further relief as the court deem just and proper.

Submitted this 30th day of May, 2006.

/s/ Arthur O. Armstrong, Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleadings in this case.

/s/ Arthur O. Armstrong, Plaintiff

SUPREME COURT OF THE UNITED STATES

Washington, D.C.

No. 06-1272 Armstrong v Clerk of Wilson County

DISCLOSURE OF CORPORATE AFFILIATION AND OTHER ENTITIES WITH A DIRECT FINANCIAL INTEREST IN LITIGATION

Rule 29.6

Arthur O. Armstrong who is Appellant makes the following disclosure:

1. Is party/amicus a publicly held corporate or other publicly held entity?
( ) YES (X) NO

2. Does party/amicus have any parent corporation?
( ) YES (X) NO

3. Is 10 percent or more of the stock of a party/amicus owned by a publicly held corporation or other publicly held entity?
( ) YES (X) NO

4. Is there any other publicly held corporation or other publicly held entity that has a direct financial interest in the outcome of the litigation?
( ) YES (X) NO

5. Is the party a trade association?
( ) YES (X) NO

/s/ Arthur O. Armstrong (signature) June 1, 2006 (date)

INFORMAL BRIEF

1. Jurisdiction

A. What is the name of the court from which you are appealing?

United States District Court for the Eastern District of North Carolina

B. What is the date(s) of the order you are appealing?

January 18, 2006

2.

3. Issues on Appeal

Issue 1. Did district court failed to conform to the requirements of the federal constitution and the United States statutes when the defendants made false reports that plaintiff failed to pay fine of $447 or which plaintiff expressly denied?

Supporting Facts and Argument. Yes the defendants failed to conform to the requirements of the federal constitution and the United States statutes because the clerk of court sent false reports to the North Carolina Department of Motor Vehicle and plaintiff's license was suspended indefinitely in violation of the Equal Protection Clause.

Issue 2. Did the defendants act in a conspiracy against the plaintiff when they conspired to act with , including but not limited: fraud, RICO, trickery, malice, oppression, arbitrariness, capriciousness, malicious prosecution, gross negligence, misrepresentation, deception and active connivance against plaintiff?

Supporting Facts and Argument. Yes, the defendants acted in a conspiracy under §§1985 and 1986 - in brief §1095 prohibits all conspiracies to interfere with civil rights; and 1986 proscribes knowing neglect (or aid or abet after the fact) such a conspiracy.

Issue 3. Did Howard S. Boney act with malicious prosecution against plaintiff?
Supporting Facts and Argument. Yes, Mr. Boney acted with malicious prosecution against plaintiff for lack of probable cause and facts.

Issue 4. Did the defendants aid and abet after the fact such a conspiracy?

Supporting Facts and Argument. Yes, the defendants, all of them, aided and abetted, after the fact, such a conspiracy when plaintiff's unopposed motions was suppressed, and dismissed; authentic documentation showing $447 **PAID** to the court on June 17, 2002 presented, was dismissed as irrelevant and unnecessary.

Issue 5. Did the defendants act with defamation against plaintiff?

Supporting Facts and Argument. Yes, defendants stated falsely that plaintiff failed to pay fine. As a result of the defamation, Department of Transportation suspended plaintiff's driver's license indefinitely without due process of law.

Relief Requested: Plaintiff requests compensatory and punitive damages in the sum of $100,000,00.00.

CERTIFICATE OF SERVICE

I certify that on March 13, 2006 I mailed a complete copy of this Informal Brief and all attachments to all parties addressed as shown below.

/s/ Arthur O. Armstrong
Arthur O. Armstrong

Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

ARTHUR O. ARMSTRONG	) No.
	)
vs.	) APPELLANT'S MOTION
	) FOR RELIEF WITH
WILSON COUNTY CLERK	) SUPPORTING AFFIDAVIT
OF COURT, et al	) AND DOCUMENTATION
	) (BRIEF ¶II)

COMES NOW, the Appellant, Arthur O. Armstrong, named in this action and moves this Honorable Court, with supporting affidavit and documentation, for relief, pursuant to Rule 27 (a)(2) of the Federal Rules of Appellate Procedure, for reasons more fully set forth in the Appellant's Brief.

IN SUPPORT HEREOF, Appellant shows unto the Court that:

I. On or about November 22, 2005 distrist Court dismissed Appellant's complaint for failure to state a claim. Appellant's amended complaint cures all defects.

NOW THEREFORE, the Appellant files his Brief.

II. The Appellees acted in a conspiracy against the Appellant (affidavit, p. 1, ¶8). In the furtherance of such a conspiracy, the appellees failed to conform to the requirements of the Federal Constitution and United States statutes (affidavit, p. 1, ¶9). The Appellees aided and abetted after the fact such a conspiracy (id., ¶13). As a direct and proximate result of the Appellees' action, the Appellant suffered continuing injury, including but not limited to: mental distress, mental anguish, psychic injury, injury to his reputation and humiliation. I pray for judgment in the sum of $100,000,000 (id.,

¶15).

SUMMARY:

Because of the foregoing, the Appellant respectfully requests that motion for relief, in accordance to Rule 27 (a) (2) of the Federal Rules of Appellate Procedure, be granted.

Respectfully submitted this the 11th day of May, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

OF COUNSEL:

ARTHUR O. ARMSTRONG
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under United States laws that the foregoing and within statements are true and correct (28 U.S.C. §1746.)

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant
252-236-7912

May 12, 2006

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Fred L. Borch, III, Clerk
United States District Court
U.S. Courthouse
P. O. Box 25670
Raleigh, NC 27611

Harold Franklin Askins, Esq.
North Carolina Department of Justice
9001 Mail Service Center
Raleigh, NC 27699

May 11, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DISTRICT

ARTHUR O. ARMSTRONG	) 5:05-136-BR
	)
vs.	) PLAINTIFF'S MOTION
	) FOR LEAVE TO FILE
WILSON COUNTY CLERK	) MOTION FOR RECON-
OF COURT, et al	) SIDERATION-BRIEF ¶II

COMES NOW, the plaintiff, Arthur O. Armstrong named in this action and moves this Honorable Court, for leave to file motion for reconsideration, for reasons more fully set forth in the party's brief.

IN SUPPORT HEREOF, the plaintiff shows unto the court that:

I. On or about November 22, 2005, plaintiff's complaint was denied for failure to state a claim. Plaintiff's amended complaint cures all defects.

NOW THEREFORE, plaintiff files this brief:

II. In Wilson County, North Carolina, the defendants acted in a conspiracy (affidavit, p. 1, ¶8). In the furtherance of such a conspiracy the defendants, failed to conform to the requirements of the Federal Constitution and the United States statutes (affidavit, p. 1, ¶9). The defendants aided and abetted after the fact such a conspiracy (id., ¶13) As a direct and proximate result of defendants' action, plaintiff suffered continuing injuries including but not limited to: mental distress, psychic injury in the sum of $100,000,000 (id., ¶15).

SUMMARY:

Because of the foregoing, plaintiff respectfully requests that motion for leave to file motion for reconsideration,

in accordance to the Federal Rules of Civil Procedure, be granted.

Respectfully submitted this the 26th day of April, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under U. S. laws that the within and foregoing statements are true and correct (28 U.S.C. §1746.)

May 30, 2006. /s/ Arthur O. Armstrong
Arthur O. Armstrong

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion for leave to file motion for relief by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as follows:

U.S. REGULAR MAIL:
Harold Franklin Askins, Esq.
NORTH CAROLINA DEPARTMENT OF JUSTICE
9001 Mail Service Center
Raleigh, NC 27699

This 11th day of May, 2006.

/s/ Arthur O. Armstrong, Plaintiff

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

ARTHUR O. ARMSTRONG, PLAINTIFF,	) 05-CV-00136-BR
vs.	) CIVIL RIGHTS VIOLATION 42 U.S.C. §§1985 1986
MICHAEL EASLEY, W. RUSSELL DUKE, JR., MILTON FITCH, JR., ANNETTE HARRELL, DEFENDANTS.	) AMENDED COMPLAINT

Plaintiff alleges and says:

1. Plaintiff resides in the City of Elm City, County of Wilson, NC.

2. Defendant Michael Easley is the Chief State Executive Officer of North Carolina.

3. Defendant W. Russell Duke, Jr, is a judicial official.

4. Defendant Milton Fitch is a superior court judge of North Carolina.

5. Defendant Ann T. Harrell is the Wilson County Clerk of Court; superintends the routine business of the court of law.

6. That the conduct complained of was engaged in under color of state law and that such conduct subjected the plaintiff of the deprivation of rights, privileges and amenities secured by the federal constitution and the United States statutes while engaged in the conduct complained of.

7. That plaintiff's license has never been revoked in any way and the failure to pay fine statement is false; therefore libel and conspiratorial.

8. The defendants acted in a conspiracy against plaintiff.

9. In the furtherance of such a conspiracy, on or about, but not limited to, July 17, 2002, in Wilson County, NC, the defendants acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others when the defendants failed to conform to the requirements of the federal constitution and the U. S. statutes when the defendants acted with including but not limited to: malice, arbitrariness, capriciousness, trickery, oppression, fraud, misrepresentation, deception, gross negligence, defamation, RICO, and falsity against the plaintiff and sent false and misleading reports to NCDMV stating falsely that plaintiff failed to pay fine and falsely stating that plaintiff's license was revoked in violation of the Fourteenth Amendment.

10. On August 29, 2004, as a result of the libel, the Division of Motor Vehicle suspended plaintiff's license indefinitely.

11. Plaintiff's license was never revoked and plaintiff never failed to pay fine. Under duress, plaintiff paid $447 on of about July 17, 2002, in violation of the Fourteenth Amendment without due process of law.

12. Each defendant had knowledge of the wrong conspired to be done and had the power to prevent or aid in preventing the commission of same but neglected and refused so to do.

13. Defendants aided and abetted after the fact such a conspiracy.

14. Plaintiff was deprived of having and exercising any right or privilege of a citizen of the United States when on April 25, 2005 in Wilson County, NC

the plaintiff was denied license renewal without due process of law.

15. As a direct and proximate result of the defendants' action, plaintiff suffered continuing injuries including but not limited to: mental distress, mental anguish, psychic injury, humiliation and injury to reputation. I pray for judgment in the sum of $100,000.00.

WHEREFORE, plaintiff prays that judgment in his favor and against defendants in the sum of $100,000.00 as follows:

1. Compensatory and punitive damages in the sum of $100,000.00 under the Civil Rights Act - 42 U.S.C. §§1985 and 1986.

2. Intangible harm

3. Costs and Expenses as part of the 42 U.S.C. §§1985 and 1986 - Civil Rights Act; and such other and further relief as the court deems just and proper.

Respectfully submitted this the 18th day of January, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

DEMAND A JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleadings in this action.

/s/ Arthur O. Armstrong, Plaintiff
Arthur O. Armstrong

/s/ Arthur O. Armstrong, Plaintiff
Arthur O. Armstrong
252-236-7912

DEMAND JURY TRIAL

Plaintiff hereby demands trail by jury on all issues raised by the pleadings in this action.

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Plaintiff

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

ARTHUR O. ARMSTRONG	) No.
	)
vs.	) APPELLANT'S MOTION
	) FOR RELIEF WITH
CITY OF ROCKY MOUNT,	) SUPPORTING AFFIDAVIT
et al	) AND DOCUMENTATION
	) (BRIEF ¶II)

COMES NOW, the Appellant, Arthur O. Armstrong, named in this action and moves this Honorable Court, with supporting affidavit and documentation, for relief, pursuant to Rule 27 (a)(2) of the Federal Rules of Appellate Procedure, for reasons more fully set forth in the Appellant's Brief.

IN SUPPORT HEREOF, Appellant shows unto the Court that:

I. On June 4, 2001, this Court enjoined Appellant from filing any appeal in this Court until District Court certifies the appeal as having merit. District Court hereby certifies that a timely apeal from 1-18-06 order has merit.

NOW THEREFORE, the Appellant files his Brief.

II. The Appellees failed to conform to the requirements of the Federal Constitution and United States statutes (affidavit, p. 1, ¶7). As a direct and proximate result of the Appellees' action, the Appellant suffered continuing injury, including but not limited to: mental distress, mental anguish, psychic injury, humiliation and injury to his reputation. I pray for juement in the sum of $100,000,000.00 (id., ¶9).

SUMMARY:

Because of the foregoing, the Appellant respectfully requests that motion for relief, in accordance to Rule 27 (a) (2) of the Federal Rules of Appellate Procedure, be granted.

Respectfully submitted this the 22nd day of January, 2006.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

OF COUNSEL:

ARTHUR O. ARMSTRONG
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under United States laws that the foregoing and within statements are true and correct (28 U.S.C. §1746.)

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant
252-236-7912

January 22, 2006

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties a copy of the within and foregoing motion by depositing a copy of same in the United States Mail with adequate postage affixed thereon to ensure delivery, in an envelope addressed as

follows:

U.S. REGULAR MAIL:
Fred L. Borch, III, Clerk
United States District Court
U.S. Courthouse
P. O. Box 25670
Raleigh, NC 27611

Harold Franklin Askins, Esq.
North Carolina Department of Justice
9001 Mail Service Center
Raleigh, NC 27699

January 26, 2006

/s/ Arthur O. Armstrong
Arthur O. Armstrong, Appellant

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

ARTHUR O. ARMSTRONG	) PLAINTIFF'S MOTION
	) FOR SUMMARY JUDGMENT
vs.	) WITH SUPPORTING
	) AFFIDAVIT AND DOCU
CITY OF ROCKY MOUNT	) MENTATION IN RESPONSE
	) TO DECEMBER 14, 2005
	) ORDER (BRIEF II)

COMES NOW, the plaintiff, Arthur O. Armstrong, named in this action and moves this honorable Court, with supporting affidavit and documentation, for summary judgment, in response and for reasons more fully set forth in the party's brief.

IN SUPPORT HEREOF, the plaintiff shows unto the court that:

I. On November 19, 2005, plaintiff filed action against defendants alleging constitutional violation, On December 14, 2005, in- an order, plaintiff shall clarify and provide the exact violation(s) and facts which related to each defendant. Plaintiff's complaint cures all defects.

NOW THEREFORE, the plaintiff files his brief:

II. On November 16, 2005 in Nash County, NC, the defendant failed to conform to the requirements of the federal constitution and the United States statutes (affidavit, p. 1, ¶7). As a result of defendants' action, plaintiff suffered continuing injury including but not limited to: mental distress, mental anguish, psychic injury, humiliation and injury to his reputation. I pray for judgment in the sum of $100,000,00 (id., ¶9).

SUMMARY:

Because of the foregoing, plaintiff respectfully requests that judgment in favor of plaintiff and against the defendants, in accordance to Rule 56 of the Federal Rules of Civil Procedure, be granted.

Respectfully submitted this the **16th** day of December, 2005.

Respectfully submitted,

/s/ Arthur O. Armstrong
Arthur O. Armstrong

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear or affirm under penalty of perjury under United States laws that the within and foregoing statements are true and correct (28 U.S.C. §1746.)

December 16, 2005 /s/ Arthur O. Armstrong,

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

ARTHUR O. ARMSTRONG, PLAINTIFF,	No. 5:05-CV-00778-BR
vs.	
Mr. TURNATE, CITY OF NASHVILLE-ROCKY MOUNT-NASHVILLE POLICE DEPARTMENT, JOHN MANLEY, STEVE HILL, JOHN DOE #1, JOHN DOE #2, DEFENDANTS.	CIVIL RIGHTS VIOLATION (42 U.S.C. §1983) Complaint

Plaintiff alleges and says:

1. Plaintiff resides in the City of Elm City, County of Wilson, North Carolina.

2. Defendant Turnate is mayor of the City of Rocky Mount.

3. Defendant John Manley is Chief of police for the Rocky Mount-Nashville police Department.

4. Defendant Steve Hill is police officer of the City of Rocky Mount-Nashville, N C.

5. Defendant John Doe #1 is police officer for the City of Rocky Mount-Nashville, N C.

6. Defendant John Doe #2 is police officer for the City of Rocky Mount-Nashville, N C.

7. That on or about November 16, 2005 in Nash County, North Carolina, the defendants, the Chief of Police, John

Manley, failed to conform to the requirements of the federal constitution and United States statutes when the defendants acted with reckless indifference and wanton disregard for the truth or falsity and rights of plaintiff and others and conspired to go in disguise on the highway for the purpose of depriving either directly or indirectly the plaintiff of equal protection of the laws or of equal privileges and immunities under the laws: or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to plaintiff the equal protection of the laws when the defendant Chief of police, John Manley's officers, without probable cause, stopped and detained the plaintiff, made an entry without a warrant onto private areas of personal premise of plaintiff, kicked plaintiff out of his car; seized his automobile and invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States and falsely stated that plaintiff's license was revoked.

8. That the conduct complained of was engaged in under color of state law and that such conduct subjected plaintiff of the deprivation or rights, privileges and amenities secured by the federal constitution and the United States statutes while engaged in the conduct complained of.

9. As a direct and proximate result of the defendant's action, plaintiff suffered continuing injuries including but not limited to: mental distress, mental anguish, injury to his reputation, psychic

injury and humiliation. I pray for judgment in the sum of $100,000,000.00.

WHEREFORE, plaintiff prays for judgment in the sum of $100,000,000.00 as follows:

1. Compensatory and punitive damages under 42 U.S.C. §1983 - Civil Rights Act.
2. Intangible harm
3. Civil Right Attorney's Fees Award Act - 42 U.S.C. §1888.
4. For costs and expenses as part of the 42 U.S.C. §1983 - Civil Rights Act, and such other and further relief as the court deems just and proper.

Respectfully submitted this **16th** day of December, 2005.

Respectfully submitted,

/s/ Arthur O. Armstrong

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all issues raised by the pleading in this action.

/s/ Arthur O. Armstrong

VERIFICATION

I, Arthur O. Armstrong, being first duly sworn, deposes and says that he is the plaintiff in the foregoing action and that the allegations set forth in this pleading are true and accurate to the best of his knowledge and belief, except for those allegations he believes them to be true.

/s/ Arthur O. Armstrong

Appendix R -
Case Authorities

When a court passes judgment on the conduct of a municipality in an action brought under 42 USCS §1983 for violation of federal protected rights, the court does not seek or second-guess the reasonableness of the municipality's decision nor to interfere with local governmental's resolution of competing policy consideration, but rather, the court looks only to whether the municipality has conformed to the requirements of the Federal Constitution and statutes; where there is a substantial showing that the exertion of state power has overridden private rights protected by the Constitution, the subject is necessarily one for judicial inquiry in an appropriate proceeding directed against the individuals charged with the transgression. Owen v. City of Independence (1980, US) 63 L Ed 673 100 S Ct 1398.